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- 5.11** The Council will negotiate with developers on individual sites in order to establish the amount of affordable housing to be provided and the mix of dwelling type and unit size as is appropriate for the location. The Council will require information about the housing need that would be met by the proposal and will have to be satisfied that the proposal would meet a known housing need. Where appropriate, the Council will seek Planning Obligations to secure the future of the housing as affordable. Most commonly, the best way of ensuring that affordable housing will be enjoyed by successive as well as initial occupiers of property is by involvement of a registered Housing Association or other social body (e.g. a trust) providing housing for rent or shared ownership.
- 5.12** The Council has always been concerned about the plight of tenants whose homes are threatened by redevelopment and by conversion schemes, and information about the arrangements for rehousing these tenants will be sought.

Special Needs Accommodation

- 5.13** People with special housing needs include the single homeless, the elderly, those with physical or mental disabilities, people with mental health problems, women who have experienced domestic violence, students, people with a long-term debilitating illness, and travellers. The Council is aware of the special housing needs of these groups and is concerned that they should be adequately provided for in appropriate locations.

H24 TO WELCOME THE PROVISION OF HOUSING FOR PEOPLE WITH SPECIAL ACCOMMODATION NEEDS IN APPROPRIATE LOCATIONS, HAVING REGARD TO THE EXISTING DISTRIBUTION OF SIMILAR TYPES OF ACCOMMODATION WITHIN THE AREA.

- 5.14** The Council welcomes purpose-built accommodation which enables people with special needs to maintain an independent lifestyle and supports the work of housing associations in this respect. However, the Council wishes to maintain an appropriate balance between different kinds of residential uses within local areas. The Council will resist proposals which would lead to a concentration of special provision within an area.

(i) Residential Hostels

- 5.15** Groups such as the single homeless, people who are mentally ill or disabled, women who have experienced domestic violence and students, often rely upon the provision of residential hostel accommodation for their housing. The decline in the amount of rented accommodation, especially at the cheaper end of the scale, has led to increasing difficulty in finding permanent rehousing for existing hostel residents. This restricts the ability of hostels to release space for newcomers. The number of residential hostels has also been in decline and this trend seems likely to continue. This will serve to restrict still further the accommodation available to these groups.

5.16 The term 'residential hostel' is rigidly defined by the Council as accommodation intended primarily for medium to long term permanent residential occupancy catering for a wide range of socio-economic groups, sometimes providing an element of care and should not be confused with a 'tourist hostel' which is primarily for visitors (see Glossary). The Council wishes to resist the loss of residential hostels to hotels (see also Hotels Chapter, policy T1).

H25 TO RESIST THE LOSS OF EXISTING RESIDENTIAL HOSTELS, EXCEPT IN EARLS COURT WARD.

5.17 The Earls Court Ward is excepted from the above policy because of the abundance of both residential and tourist hostels in the area.

5.18 In those cases where the presence of a hostel has resulted in long-standing harm to the amenity of surrounding residential areas, permission may be granted for a change to residential use.

H26 TO PERMIT PROPOSALS FOR RESIDENTIAL HOSTELS ON BEHALF OF RECOGNISED PROVIDERS OF HOSTEL ACCOMMODATION, WHERE IT CAN BE SHOWN THAT THERE WOULD BE:

- (a) NO LOSS OF PERMANENT RESIDENTIAL ACCOMMODATION, UNLESS THE APPLICANTS CAN DEMONSTRATE A KNOWN AND ESTABLISHED LOCAL NEED FOR THAT TYPE OF HOSTEL ACCOMMODATION IN THAT LOCATION;
- (b) NO ADVERSE EFFECT UPON THE AMENITY ENJOYED BY LOCAL RESIDENTS. THE PROPOSALS WILL HAVE TO COMPLY WITH THE POLICIES FOR CONSERVATION AND DEVELOPMENT; AND
- (c) NO ADVERSE EFFECTS UPON THE ENVIRONMENT AND SAFETY OF NEIGHBOURING RESIDENTIAL AREAS AND ROADS BY WAY OF TRAFFIC GENERATION.

5.19 A recognised provider includes colleges, housing associations, charities and employers providing staff accommodation and other organisations which provide good quality accommodation for groups of people for whom there is a known and established need for accommodation.

(ii) **Sheltered Housing**

5.20 Many elderly people are living in accommodation that is either unsuitable for their needs or is in poor condition. The provision of sheltered housing allows those who wish to move to specially designed group accommodation to do so. Sheltered accommodation can also provide better facilities for people suffering long-term debilitating illness. The most pressing need in the Borough is currently for 'very' sheltered housing, which provides a higher level of care, catering for the frail elderly and people recovering from mental illness. The Council will continue to support the work of housing associations in this respect.

H27 TO WELCOME THE PROVISION OF SHELTERED HOUSING, IN PARTICULAR VERY SHELTERED HOUSING, IN APPROPRIATE LOCATIONS, HAVING REGARD TO THE EXISTING DISTRIBUTION OF SIMILAR TYPES OF ACCOMMODATION WITHIN THE AREA.

5.21 Housing that provides a secure environment in which to live is an important consideration for people who are vulnerable or subject to harassment and discrimination. Careful attention to the design of dwellings created in redevelopment schemes can go a long way towards improving the safety and security for the residents. In considering the merits of proposals for sheltered housing, the Council will pay particular regard to the design and security aspects of the development.

(iii) Access and Mobility

5.22 Disability, either temporary or permanent potentially affects every one at some stage in their lives. The likelihood of physical and /or sensory disability increases with age but such disabilities are also present in the younger population. The Borough's population has a higher than average proportion of people of 65 and over, and approximately 10% of the total population has a long term limiting illness, and is likely to require suitably designed new or converted housing.

5.23 People with disabilities, and those who are frail through long-term illness or old age, require appropriate housing that enables them to live in comfort and independence. The overwhelming majority of disabilities affect mobility in some way. The main requirement, therefore, is housing which is readily adaptable to meet the special mobility needs of people throughout their lives and allows ease of movement around the home and improvement in building access. Mobility and wheelchair standards in the form of supplementary planning guidance have been developed to achieve this. The location of mobility and wheelchair housing must take into account the location of amenities such as local shops and public transport facilities. It is not practical to seek mobility or wheelchair standard housing in all schemes. These will be sought only where dwellings are at ground floor level or reached by a lift. Car parking associated with the development should include bays of the appropriate width and should be suitably close to the dwelling, detailed standards are to be found in the Planning Standards Chapter.

H28 TO SEEK WHERE PRACTICAL THAT GROUND FLOOR DWELLINGS, OR THOSE REACHED BY A LIFT, IN HOUSING DEVELOPMENTS ARE BUILT TO MOBILITY STANDARD AND TO ENCOURAGE CONSTRUCTION TO WHEELCHAIR STANDARD.

(iv) Sites for Travellers

5.24 The accommodation needs for Travellers differ from other special needs groups in that serviced sites are required rather than dwellings. No suitable sites are available in the Borough but the Council jointly funds, with the London Borough of Hammersmith and Fulham, a site for Travellers in that Borough. Further provision for Travellers will be considered should suitable sites become available.

CHAPTER 5

HOUSING

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GENERAL POLICIES

Part I Policies and Reasoned Justifications

Introduction

- i. Kensington and Chelsea is primarily a residential borough despite its commercial importance to London, particularly in shopping and tourism. The Council attaches the highest importance to meeting the needs of long-term residents.
- ii. The population of the Royal Borough, which fell rapidly during the seventies, has shown signs of stabilising in the late eighties and early nineties. This fall in population is common to most of inner London and is caused in part by a desire for better living standards. Whilst the Council cannot directly influence the size of its residential population, the policies in the Plan can prevent further reduction in population by resisting the loss of residential accommodation to other uses and requiring new residential development wherever possible and appropriate. A stable population may not in itself be sufficient to maintain and enhance the residential function of the Borough, but it is necessary in order to achieve economies of scale in service delivery, reduce unit costs and provide a resident population for local shops, services and facilities.
- iii. Housing activity of all sorts proceeded at a high rate in the Borough during the 1980's, but slowed down considerably at the beginning of the 1990's. The total net gain in dwellings through permissions either implemented or under construction for the years [1987-1991 (inclusive) was 1750] 1993-1997 (inclusive) was 1800.

Maintaining the Existing Stock

- iv. Given the historic decline in population, the reduced rate of conversions and very limited land availability, it is essential to protect the existing dwelling stock if the residential character and function of the Borough is to be maintained. Furthermore, the building of new dwellings will not be effective in meeting the growth in housing requirements (created by the increase in the number of small households) if the current stock is diminished without replacement. Consequently, there will be a general presumption by the Council against the loss of residential accommodation to other uses in line with Strategic Guidance for London (RPG3).

Increasing the Number of Dwellings

- v. A [new] housing capacity figure for the Borough [will be] is included in revised Regional Planning Guidance 3, [to be] published in [1995] 1996. Whilst the Council will endeavour to ensure this level of additional provision is achieved, there are a number of constraints. The number of sites with potential for residential development is declining, as is the number of properties suitable for conversion, and there is an increasing demand for limited on-street parking space. Kensington and Chelsea is already an intensively developed inner city borough with little available development land. If the housing capacity figure [as proposed to be] included in RPG3 is to be met, a high priority must be placed on allocating nearly all available development land for

residential use, except where there is a history of employment-generating uses and the site is unsuitable for housing. This is all the more necessary because of the diminishing number of suitable properties for conversion.

Maintaining and Promoting a Variety of Housing

- vi. Kensington and Chelsea has some of the highest residential rents and prices in the country. Accommodation is difficult to obtain for many people who have a need to live in the Borough because of their work or family contacts. RPG3 acknowledges the importance of providing housing for lower and middle income households in London. The Council's policies aim to maintain and increase the amount of affordable housing, family dwellings, small units and accommodation for special needs. The Council will seek to negotiate for a wide variety of housing within large development schemes, and will seek the provision of a substantial element of affordable housing.

STRAT 13

TO ENSURE THE CONTRIBUTION OF THE ROYAL BOROUGH TO THE DWELLING STOCK OF GREATER LONDON IS NOT DIMINISHED AND IS INCREASED WHEREVER APPROPRIATE.

STRAT 14

TO SEEK TO MAXIMISE THE RESIDENTIAL CAPACITY OF THE BOROUGH IN LINE WITH STRATEGIC GUIDANCE FOR LONDON.

STRAT 15

TO ENCOURAGE AN ADEQUATE AND CONTINUING SUPPLY OF LAND FOR NEW HOUSING THROUGH THE DEVELOPMENT OF VACANT AND UNDER-USED LAND FOR RESIDENTIAL USE IN APPROPRIATE LOCATIONS.

STRAT 16

TO SEEK AN INCREASE IN THE AMOUNT AND RANGE OF SIZES AND TYPES OF DWELLINGS TO MEET THE NEEDS OF THOSE SEEKING PERMANENT ACCOMMODATION IN THE ROYAL BOROUGH, WHILST MAINTAINING THE OVERALL QUALITY OF THE RESIDENTIAL ENVIRONMENT.

LOCAL POLICIES

1 OBJECTIVES

1.1 There are four overall objectives for housing in the Borough:-

- (A) To protect permanent residential accommodation in order to maintain and enhance the residential function of the Borough.
- (B) To ensure that new residential development, including conversions and extensions, is of good quality in order to maintain and enhance the residential character of the Borough.
- (C) To increase the supply of housing in appropriate circumstances to help stem the decline of, and where possible to increase, the Borough's permanent residential population, subject to other policies of the Plan.
- (D) To provide and retain a range of housing types and sizes, of a satisfactory standard, to meet the varied physical and economic needs of Borough residents.

2 MAINTAINING AND ENHANCING THE RESIDENTIAL FUNCTION OF THE BOROUGH

2.1 Kensington and Chelsea experienced a decline in the level of population from the 1960's to 1981 despite an increase in the number of households since 1971. The 1991 Population Census showed the first increase in residential population for 30 years. The Borough has experienced considerable pressure from commercial uses to occupy residential property in conflict with the overall aim of the Plan. In order to protect the residential function of the Borough, it is considered that the only circumstances under which the change of use from residential accommodation might be acceptable are:

- (a) where the accommodation is statutorily unfit and could not be brought up to the standards laid down by the Housing Acts;
- (b) where the accommodation could not even with adaptation be incorporated into another unit; or
- (c) where an essential community facility requires accommodation.

The relocation of existing residential uses is acceptable providing there is no net overall loss and that a better overall disposition of land use can be achieved.

2.2 Under the Greater London Council (General Powers) Acts [1983] 1973 as amended and 1984 the use of residential accommodation for temporary sleeping accommodation

occupied by the same person for less than 90 consecutive nights, or for time-sharing schemes where a number of people each have the right to occupy a property for a set period each year, is a material change of use requiring planning permission. The Council will resist the loss of permanent residential accommodation through the provision of such temporary residential accommodation (See also Hotels Chapter, Policy T4).

H1 TO RESIST THE LOSS OF PERMANENT RESIDENTIAL ACCOMMODATION IN ALL BUT THE MOST EXCEPTIONAL CIRCUMSTANCES.

- 2.3 The Borough is very densely developed and there are few vacant sites available for residential development. In line with government guidance, the Council will seek to maximise housing provision within the Borough by giving priority to the residential development of sites and buildings where appropriate (see also Policy STRAT 2).

H2 TO SEEK THE DEVELOPMENT OF LAND AND BUILDINGS FOR RESIDENTIAL USE UNLESS:

- a) **A SATISFACTORY RESIDENTIAL ENVIRONMENT CANNOT REASONABLY BE ACHIEVED BY REASON OF EXCESSIVE NOISE, INAPPROPRIATE LOCATION OR GROUND CONTAMINATION; OR**
- b) **THE LAND IS REQUIRED FOR THE PROVISION OF SOCIAL OR COMMUNITY FACILITIES TO MEET LOCAL NEEDS; OR**
- c) **THE DEVELOPMENT IS FOR THE REPLACEMENT ON THE SAME SITE OF EXISTING COMMERCIAL FLOORSPACE WHICH HAS NOT GIVEN RISE TO ENVIRONMENTAL OR TRAFFIC PROBLEMS.**

- 2.4 The Council will have regard to the history of the use of the site and any known conflict with the amenity of the area through traffic or noise generation, hours of operation and any other material factors, including the considerations set out in the definition of the B1 Use Class. The Council will also have regard to the positive aspects of the existing use and its continuation or replacement by another non-residential use, such as its contribution to the vitality of the local economy. Where a site or building is not suitable or appropriate for residential use its residential use will not be sought.

Vacant Housing

- 2.5 Kensington and Chelsea suffers from a high level of vacant and under-utilised residential property. The numbers of vacant residential units above shops are of particular concern (see CD66 in Conservation and Development Chapter). To reduce the proportion of dwellings that are vacant would significantly increase the number of dwellings available to local residents. The Council attaches particular importance to the return to use of vacant residential property and will continue to identify vacant

residential property, negotiate with the owners and where necessary, compulsorily purchase the property, following which it will be offered for sale to housing associations or sold on the open market. The Council requires that any such property be modernised and used solely for residential purposes.

- 2.6 Permissions for change of use of a property or part property to residential use, serve to maintain and enhance the function of the Borough as a residential area and will continue to be encouraged. Flats above shops or businesses can provide lower cost accommodation and contribute to the range of accommodation available, as well as enhancing the vitality of shopping areas (see also Shopping Chapter).

H3 TO ENCOURAGE THE USE OF PROPERTY, WHEREVER APPROPRIATE, FOR RESIDENTIAL PURPOSES AND, IN PARTICULAR, PROPERTY PURPOSE-BUILT FOR RESIDENTIAL ACCOMMODATION WHERE PRESENTLY IN ANOTHER USE.

- 2.7 Where a return to residential use is proposed, the Council will consider the location of the premises and the amenity of the area. Where no amenity space is available, small residential units will be preferred. In properties with potential for gardens, family-size units should be provided. The Council will assess the suitability of properties by having regard to their internal layout and immediate surroundings.

3 MAINTAINING AND ENHANCING THE RESIDENTIAL CHARACTER OF THE BOROUGH

Commercial Development in Residential Areas

- 3.1 Maintaining both the historic and residential character depends greatly on the uses to which buildings are put. The character of a residential listed building or of a residential building in a conservation area can best be safeguarded if residential use is maintained.

H4 TO RESIST THE ENCROACHMENT INTO RESIDENTIAL AREAS OF COMMERCIAL ACTIVITIES WHICH WOULD BE INAPPROPRIATE BY VIRTUE OF SIZE, SCALE, HOURS OF OPERATION, TRAFFIC GENERATION OR NATURE OF USE.

- 3.2 It is also important to prevent the further incursion of commercial uses into mews which are primarily in residential use.
- 3.3 The Council recognises that a certain amount of services or other commercial activity can be incorporated into residential areas without necessarily causing environmental conflict. Some local services and facilities provide important support for residential areas and contribute to their character. The provision of local services and facilities also reduces the need for trips by car (see also Offices and Industry, Shopping, and Social and Community Uses Chapters). The Council is also sympathetic to those who work in

the artistic and craft professions and in certain circumstances will be willing to protect existing studios from change to residential use (see also Leisure and Recreation Chapter, Policy LR31).

H5 TO ENCOURAGE THE PROVISION, WHERE APPROPRIATE, AND TO RESIST THE LOSS, OF LOCAL SERVICES AND FACILITIES WHICH SUPPORT THE RESIDENTIAL CHARACTER OF THE AREA.

Conversions

- 3.4 Although there continues to be a steady increase in self-contained dwellings in the Borough, largely due to the conversion of buildings, there has been a large-scale loss of small, often not self-contained units. This process has made a significant contribution to the decline in population, due to the displacement of many long-term residents in small households. Conversions potentially could have an important part to play in meeting the overall housing provision envisaged by RPG3 and in providing suitable accommodation for the growing number of small households. These aims will only be realised if a higher proportion of units provided are designed to meet the needs of the Borough's permanent residents. In those cases where a proposed conversion is acceptable under H6, policies H18 and H19 will apply.
- 3.5 However, there are drawbacks to dwellings provided by conversions. Although conversions provide new, generally small, dwellings, they can result in the loss of accommodation suitable for families and certain forms of low cost housing such as bedsitting rooms (see also paragraphs 5.4 and 5.5). Conversions can lack privacy, have inadequate noise insulation, and be badly designed, although the Council ensures that conversion schemes requiring planning permission are of an adequate standard. The increase in number or size of dwellings associated with many conversion schemes puts extra pressure on existing facilities such as parking, due to the higher car ownership rates of the occupants (see also Planning Standards Chapter and consult with the Director of Building Control as appropriate). The Council will ensure that the conversion of self-contained residential units into smaller dwellings does not generate unacceptable levels of on-street parking demand or exacerbate severe problems of restricted on-street provision. On-street parking pressure in an area is considered to be unacceptable when the legal parking space (see Glossary for definition) occupied exceeds 90% of the legal space available. In cases where off-street parking provision is not possible, the Council will not grant planning permission unless means can be agreed to avoid any increase in on-street parking demand (see section 7 of the Transportation Chapter).

H6 TO PERMIT PROPOSALS FOR THE CONVERSION OF SELF-CONTAINED RESIDENTIAL UNITS INTO SMALLER DWELLINGS, EXCEPT WHERE THEY WOULD RESULT IN :

- a) [EXCESSIVE] UNACCEPTABLE LEVELS OF ON-STREET PARKING DEMAND OR ADD TO ALREADY UNACCEPTABLE LEVELS;

b) **THE UNACCEPTABLE LOSS OF OFF-STREET PARKING SPACES;**

c) **THE LOSS OF [FAMILY-SIZED DWELLINGS] HOUSES OR FLATS OF [FIVE HABITABLE ROOMS OR FEWER] 100 SQUARE METRES (GROSS) OR LESS WHICH HAVE [DIRECT] ACCESS TO AMENITY SPACE;**

d) **THE CREATION OF UNDERSIZED DWELLINGS WHICH ARE CONTRARY TO COUNCIL STANDARDS.**

3.6 It is considered that in circumstances (a) and (b), the character of residential areas may be harmed. The Council is concerned that existing private garage space which provides off-street car-parking is maintained. In the case of proposals to convert mews properties, the retention of at least one garage space will normally be required.

Development and Residential Amenity

3.7 Additional residential accommodation is encouraged in line with the aims of the Plan but it is also considered essential that a policy to attract additional housing in the Borough must not lead to a loss of residential amenity. The Council recognises the value to local amenity of retaining and, where practicable, providing further open spaces and trees within the Borough (see also Conservation and Development, and Leisure and Recreation Chapters).

H7 TO SEEK, WHERE APPROPRIATE, THE PROVISION OF SOME OUTDOOR SPACE IN ALL NEW DEVELOPMENT AND, IN PARTICULAR, THE PROVISION OF OPEN SPACE AND PLAY FACILITIES IN DEVELOPMENTS OF OVER TEN UNITS.

3.8 In order to retain a high standard of residential amenity, it is important that appropriate provision is made for the social and community needs of residents. Therefore the Council will require the provision of such facilities as are appropriate in association with major residential developments. As a general guide, a major development will be considered to be one which provides 150 or more residential units.

H8 TO REQUIRE THE PROVISION OF APPROPRIATE SOCIAL AND COMMUNITY FACILITIES WITHIN MAJOR RESIDENTIAL SCHEMES.

3.9 The form of social and community facilities to be provided will be dependent on the scale of the development, its location and its proximity to existing services (see also Social and Community Uses Chapter).

Density

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- 3.10 If the housing capacity figure identified in RPG3 and sought through STRAT 14 of the UDP is to be met, it is necessary not only to place a high priority on allocating all identifiable land for residential use, but also to make the best use of that land. A balance has, however, to be struck between making the best use of residential land, ensuring new housing is of a good standard, and protecting the character and environment of surrounding areas.
- 3.11 Most of the existing housing in the Borough was built in the nineteenth century at densities which are very high by today's standards. Much of this is satisfactory in the accommodation and facilities it provides, and in the contribution it makes to the character and environment of the Borough. In most cases of new development, however, the Council's policy is to seek lower densities than in the past, in order that excessive pressure is not placed on existing facilities, particularly open space, that the quality of the existing environment is maintained, and, as appropriate, improved, and that new residential development offers facilities and a quality of environment acceptable today. It will be particularly important to design to lower densities, and make adequate provision for open space, in schemes suitable for occupation by families with children.
- 3.12 In considering both the quality of the environment proposed in a new housing scheme, and the effect of that scheme on the character and environment of the surrounding area, the density policies set out below will be followed, and regard will be had to the density ranges set out below. Schemes will also have to comply with other policies of the plan, particularly those relating to design, light, privacy, open space, and residential parking.
- 3.13 In applying the following policies the Council will have regard to the following well established density guidelines:

VERY LOW :less than 70 habitable rooms per acre (hra) (175 habitable rooms per hectare (hrha))
 LOWER: between 70 hra and 100 hra (175-250 hrha)
 HIGHER between 100 hra and 140 hra (250-350 hrha)
 VERY HIGH above 140 hra (350 hrha)

Guidance on the calculation of residential density is given in the Planning Standards Chapter.

- H9 NORMALLY TO RESIST RESIDENTIAL DEVELOPMENT DESIGNED TO A VERY LOW DENSITY.**
- H10 NORMALLY TO REQUIRE THAT HOUSING PREDOMINANTLY SUITABLE FOR OCCUPATION BY FAMILIES WITH CHILDREN IS DESIGNED TO A LOWER DENSITY.**
- H11 NORMALLY TO RESIST HOUSING DESIGNED TO HIGHER DENSITIES EXCEPT WHERE IT:**

- a) IS DESIGNED PREDOMINANTLY FOR OCCUPATION BY SMALL HOUSEHOLDS; OR
- b) ENABLES THE PROVISION OF SPECIAL NEEDS OR AFFORDABLE HOUSING ON APPROPRIATE SITES; OR
- c) IS AN INFILL SCHEME WHERE A HIGHER DENSITY DEVELOPMENT IS NECESSARY FOR TOWNSCAPE REASONS TO COMPLY WITH THE POLICIES OF THE CONSERVATION AND DEVELOPMENT CHAPTER.

H12 NORMALLY TO RESIST HOUSING DESIGNED TO VERY HIGH DENSITIES UNLESS NECESSARY FOR TOWNSCAPE REASONS TO COMPLY WITH THE POLICIES OF THE CONSERVATION AND DEVELOPMENT CHAPTER.

Improving the Quality of the Housing Stock

3.14 There has been a welcome improvement in the housing conditions of the Borough over the last 20-30 years, as building activity has concentrated on replacing poorer, older housing by means of the conversion and redevelopment of existing property. However, housing conditions in certain parts of the Borough still compare unfavourably with those elsewhere in London.

H13 TO CONTINUE TO ENCOURAGE THE IMPROVEMENT AND PRESERVATION OF THE EXISTING HOUSING STOCK.

3.15 The Council continues to implement landscaping and playground schemes on its estates. Besides enhancing the physical condition of dwellings and the environment, these schemes aim to improve the security and to add to the amenities enjoyed by residents and their children (see also Policy CD87 of the Conservation and Development Chapter).

H14 TO ENSURE THE ENHANCEMENT OF THE RESIDENTIAL ENVIRONMENT THROUGH STREET WORKS, LANDSCAPING AND IMPROVEMENTS TO HOUSING ESTATES.

3.16 Funds are available for environmental improvement under various Central Government programmes, such as the City Challenge Programme, and occasionally through negotiation with the private sector.

4 INCREASING THE SUPPLY OF HOUSING

New Development

4.1 There are few vacant sites remaining in the Borough and the provision of new housing, other than from conversion schemes, will mainly arise from smaller-scale

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redevelopment proposals. Policy STRAT 14 seeks to maximise the residential capacity of the Borough in line with RPG3. It is therefore important to ensure that, wherever possible, the development of vacant land and redevelopment of property currently in other uses is for residential purposes while seeking to maintain residential amenity. Where new residential development is proposed, and in appropriate locations, the Council will seek the provision of affordable housing for rent or for sale within the development. Section 5 deals with the provision of affordable housing.

H15 TO REQUIRE A SUBSTANTIAL PROPORTION OF HOUSING TO BE PROVIDED ON THOSE SITES TO WHICH THIS POLICY APPLIES AS IDENTIFIED IN THE SCHEDULE OF MAJOR [SITES WITH] DEVELOPMENT [OPPORTUNITIES] SITES AND SHOWN ON THE PROPOSALS MAP.

H16 TO ENCOURAGE THE USE OF PUBLICLY OWNED LAND FOR THE PROVISION OF HOUSING, WHEREVER APPROPRIATE.

- 4.2 A number of sites have been identified on the Schedule of Major [Sites with] Development [Opportunities] Sites and Proposals Map where redevelopments will be expected to provide housing on all or at least the major part of the site area or floorspace. Such housing provision must be carefully designed to achieve an acceptable level of amenity for residents with regard to the location of any proposed business uses. (See also Offices and Industry Chapter Policy E3).

5 PROVIDING AND MAINTAINING A WIDE RANGE OF HOUSING

Housing Mix

- 5.1 The mix of accommodation in the Borough should be related to the range in household types existing or likely to exist and to deficiencies in the range of accommodation. Households are typically smaller than elsewhere in the capital. In response to market demand, the private sector already provides a substantial proportion of smaller units, mostly through conversion schemes and it is therefore important to retain existing provision. A large stock of small residential units is also important in order to: maintain the level of population by allowing a more intensive use of residential properties; maintain the number of adult households who, through their spending power, help support the ancillary services which underpin the residential function; and meet the overall housing provision envisaged by RPG3.

H17 TO RESIST THE LOSS OF EXISTING, SMALL, SELF-CONTAINED FLATS OF ONE OR TWO HABITABLE ROOMS.

- 5.2 However, it is important to ensure that a sufficiently wide range of dwellings is provided in terms of type and size in redevelopment, rehabilitation, extension and conversion schemes, to satisfy the needs of larger households and rising standards.

H18 TO SEEK THE INCLUSION OF SMALLER UNITS (OF ONE OR TWO HABITABLE ROOMS) AND LARGER UNITS (OF THREE HABITABLE ROOMS AND MORE) IN SCHEMES FOR RESIDENTIAL DEVELOPMENT.

H19 TO SEEK AN APPROPRIATE MIX OF DWELLINGS WITHIN A SCHEME, HAVING REGARD TO THE FOLLOWING FACTORS:

- a) THE PHYSICAL CHARACTER OF THE SITE OR BUILDING AND ITS SETTING;
- b) THE PREVIOUS OR EXISTING USE OF THE SITE OR BUILDING;
- c) ACCESS TO PRIVATE GARDENS OR COMMUNAL GARDEN SQUARES FOR FAMILY UNITS;
- d) THE LIKELY EFFECT ON DEMAND FOR CAR PARKING WITHIN THE AREA;
- e) THE SURROUNDING COMPOSITION AND DENSITY OF POPULATION;
- f) THE LOCATION OF SCHOOLS, SHOPS AND OPEN SPACES;
- g) PROVISION OF ACCOMMODATION FOR SPECIAL NEEDS (See paragraphs 5.13 to 5.24); AND
- h) BUSY ROADS OR RAILWAY LINES NEARBY.

5.3 Particular regard should be paid to providing accommodation suitable for families in acceptable locations and the Council will encourage the provision of larger units suitable for family occupation to be located in the lower floors with access to the garden.

[Affordable Housing Provision] Houses in Multiple Occupation (HMOs)

5.4 The private rented sector performs an important function in the housing market, especially in meeting a need for lower cost housing, but has experienced a rapid decline. Much of the decline in this sector in the Borough has resulted from the conversion, into flats for sale, of houses in multiple occupation (HMOs). There has also been a change in the types of lettings made. Whereas in the past, much of the privately rented sector had catered for lower income groups, an increasing proportion of this sector now consists of luxury furnished flats intended for short-term lets to mobile higher-income tenants.

5.5 Despite the decline, the Borough still has a greater proportion of private rented accommodation than anywhere else in the United Kingdom. The Council has

undertaken research which demonstrates the continuing high demand for HMO accommodation in the Borough and the valuable role the existing HMO stock makes towards meeting housing need and supporting the local economy. Consequently, the Council recognises that certain types of accommodation meet a specific need and will not normally consider favourably proposals which involve the loss of such accommodation. In particular, the Council is concerned that bedsit accommodation which is in compliance, or capable of complying, with building regulations and the standards laid down by the Housing Acts, should normally be maintained. However, there may be circumstances in which the loss of an HMO may be allowed, for example, in order to secure the essential restoration of a listed building where improvement is needed, and in which the existing HMO layout is harmful to the historic character of the building, or in appropriate locations having regard to the distribution of HMOs within the area. Proposals [for housing associations] from Registered Social Landlords (RSLs) to convert properties into self-contained dwellings, in liaison with existing tenants, will be [welcome] assessed in relation to how long the RSL has owned the property and whether [where] there is [no] a significant reduction in [accommodation in terms] the number of bedspaces. RSLs, in liaison with the Council, will be encouraged to manage existing HMOs for the benefit of lower and middle income workers who have a need to live close to their place of work in the Borough.

- 5.6 Where existing HMOs and bedsitting rooms do not comply with the current Housing Acts, landlords should seek advice from the Council's Environmental Health Department.

H20 NORMALLY TO RESIST PROPOSALS FOR THE CONVERSION INTO SELF-CONTAINED ACCOMMODATION OF THOSE HOUSES IN MULTIPLE OCCUPATION AND INDIVIDUAL BEDSITTING ROOMS WHICH COMPLY WITH, OR ARE CAPABLE OF REACHING, THE STANDARDS LAID DOWN BY THE HOUSING ACTS.

- 5.7 [Housing associations] RSLs are now the major providers of affordable housing for rent in the Borough. They assist in the housing of the statutorily homeless and for people with special accommodation needs as well as hostel provision for groups such as people with a mental illness, the single homeless and people with physical disabilities. They also contribute towards improving the housing stock. The Council encourages the provision of rented accommodation (especially affordable accommodation) in any large residential or mixed-use developments and will look favourably upon arrangements to secure the transfer of ownership of a proportion of the site, or some of the dwellings created, to [registered Housing Associations] RSLs or other providers of affordable housing for this purpose. Where appropriate, the Council will seek Planning Obligations to secure and retain the provision of affordable housing. [Proposals for housing association to convert properties into self-contained dwellings, in liaison with existing tenants, will be welcome where there is no significant reduction in accommodation in terms of bedspaces.]

H21 TO WELCOME RESIDENTIAL OR MIXED- USE SCHEMES WITH A RESIDENTIAL ELEMENT WHERE A RANGE OF

HOUSING IS TO BE PROVIDED INCLUDING AFFORDABLE HOUSING AND HOUSING FOR SPECIAL NEEDS.

Affordable Housing Provision

[5.8] The Council wishes to encourage an increase in the provision of affordable housing in the Borough, such as that provided by registered Housing Associations (affordable housing is that which is approximately equivalent in cost to the occupier as that provided by housing associations working in the Borough). The provision of affordable housing has been established as a material consideration for inclusion in the Plan.

5.9 The high cost of housing in London means that many households cannot afford even the smallest properties. Kensington and Chelsea was the most expensive London Borough in terms of house prices and private sector rents in 1991. The London Research Centre estimated that in 1990, in London as a whole, there was a need for 380,500 additional social dwellings to meet the needs of the homeless, potential households, overcrowded households and households in unsatisfactory accommodation. This Council estimates that at least 9,000 additional affordable residential units are required to satisfy the housing needs of households living in the Borough. In order to satisfy the need for affordable homes for rent in this Borough, the Council will seek the provision of an adequate supply of affordable housing on residential development sites throughout the Borough.

H22 TO SEEK WHERE APPROPRIATE THE INCLUSION AND RETENTION OF A SIGNIFICANT PROPORTION OF AFFORDABLE RESIDENTIAL UNITS ON RESIDENTIAL DEVELOPMENT SITES OF OVER 0.05 HECTARES (0.12 ACRES) IN SIZE.

H23 TO SEEK THE PROVISION AND RETENTION OF AFFORDABLE HOUSING WHERE INDICATED IN THE SCHEDULE OF MAJOR SITES WITH DEVELOPMENT OPPORTUNITIES.

5.10 The Council will expect residential development on sites of over 0.05 hectares to contribute a significant proportion of dwellings on the site to the stock of affordable housing. Land available for development in the Borough is very scarce and for this reason sites over 0.05 hectares will be subject to the policy to provide affordable housing. The Council wishes to ensure that the present proportion of affordable housing in the Borough, about one third, is maintained (a figure of one third corresponds to the proportion of households living in affordable or lower cost housing at the time of the 1991 Population Census). It would be impracticable to require a third of all residential redevelopment on all sites to be in the form of affordable housing. However, if the affordable housing target is to be met, the large sites in the Schedule of Major Sites with Development Opportunities should provide a higher proportion (i.e. more than one third) of affordable housing in order to compensate for those smaller sites where affordable housing might not be practicable. In order to monitor the success of this

policy, the Council will regularly assess the proportion of new affordable housing provided within the total new housing stock.]

- 5.8 Planning Policy Guidance Note 3: Housing (PPG3) has established the need for affordable housing as a material consideration which may properly be taken into account in formulating development plan policies. More detailed advice is contained in the Government Circular 6/98: Planning and Affordable Housing. Paragraph 4 of this circular defines affordable housing as both low-cost market and subsidised housing that will be available to people who cannot afford to rent or buy houses generally available on the open market. Kensington and Chelsea has the most expensive residential property market in the country and affordability (as defined by the relationship between prices and incomes) has probably worsened since the adoption of the UDP in 1995. The housing market, generally, cannot provide residential accommodation for those on low or middle incomes. The most recent price information indicates that the average purchase cost and rent of a one bedroom property in the Borough is £168,000 and £269 per week respectively (London Research Centre Bulletins, 2nd and 1st Qtrs. respectively, 1998). Consequently, the concept of affordable low cost market housing (except for HMOs) is not relevant to the circumstances of Kensington and Chelsea.
- 5.9 The Council carries out a broad analysis of housing need each year to inform the Housing Strategy and Housing Investment Programme. This takes into account a number of factors including: incomes, rent levels, house prices, stock condition, and applications on the Council's Common Housing Register (CHR). This analysis produces projections of future housing need based on trends in the rate of new applications on the CHR and projected supply data. At the end of July 1998 there were over 8,000 applicants on the CHR; of these 3,694 households were assessed as being in high housing need. However, lettings in social housing available to the Council are limited to approximately 1,000 homes each year. At current rates of application and assuming letting levels remain the same, the shortfall between high need and supply could reach nearly 7,000 by April 2005.
- 5.10 The development of affordable housing within the Borough is extremely difficult and, therefore, the Council has continued to work with RSLs and other local authorities to develop housing out-of-borough. However, success in out-of-borough development is contingent upon the Council continuing to support affordable housing within its boundaries. Given the current and projected lack of available sites in the Borough, it is reasonable to assume that, based on experience to date, approximately 50% of all future new supply of affordable housing will continue to be developed by RSLs outside the Borough. Accordingly 50% of the 7,000 homes needed to meet high need are expected to be provided outside the Borough. Therefore, it is proposed that the UDP target for affordable housing should be set at 3,500 homes over the ten year life of the Plan. If achieved, this number of homes would meet the higher levels of housing need in the Borough, but would not provide sufficient accommodation for every household in housing need
- 5.10a The Council wishes to ensure that the present proportion of affordable housing in the Borough, about one third, is maintained (a figure of one third corresponds to the

proportion of households living in affordable housing or HMOs at the time of the 1991 Population Census). The application of the Council's policies will in practice exclude a large number of small sites and proposals, which do not have sufficient capacity, from the requirement to provide affordable housing. However, if the affordable housing target is to be met, the large sites in the Schedule of Major Development Sites should provide a higher proportion (i.e. more than one third) of affordable housing in order to compensate. In order to assess the success of this policy, the Council will regularly monitor the proportion of new affordable housing provided within the total new housing stock.

5.10b It is likely that the use of planning powers will continue to be a key mechanism for providing the majority of all identified affordable housing programmes in Kensington and Chelsea, especially if RSLs, such as housing associations, can no longer compete effectively in the local housing market for sites and properties. The supply of adequate finance is necessary but not sufficient for development to proceed. The main resource issue is an inadequate supply of land for development. Therefore, where a requirement for an element of affordable housing is appropriate, it should be provided on-site as part of the proposed development.

5.10c When a residential proposal (which is acceptable in principle) is affected by the Council's affordable housing policy (i.e. the site is considered to have a suitable dwelling capacity) a minimum proportion of one third of the housing should be affordable. There are three ways that this requirement can be fulfilled:

(a) provision of affordable housing on site (this is the strongly preferred option); or

(b) provision of affordable housing on an alternative site supplied by the developer within the Borough; or

(c) payment to provide affordable housing elsewhere in the Borough.

5.10d Where provision on-site or on an alternative site is proposed, this can be achieved by the developer, RSL or both. The preferred approach is the provision of affordable housing on-site, included within the facilitating private development. Where it can be demonstrated by the developer that this is not possible (for example, because the proposal is a conversion of an existing building and joint management cannot be arranged), an alternative site will be sought for the provision of affordable housing. If the alternative site route is followed, an amount equivalent to 33% of affordable housing on the "donor" site will be sought plus the equivalent amount which would have been provided on the "recipient" site, subject to further detailed assessment and compliance with planning policies. Finally, it is only where this is also considered unachievable that an in-lieu payment to secure affordable housing elsewhere in the Borough will be negotiated. The payment should reflect the high land values in the Borough and the cost of providing a significant amount of affordable housing.

H22 TO NEGOTIATE THE PROVISION AND RETENTION OF A SIGNIFICANT PROPORTION OF AFFORDABLE HOUSING

ON SITES SUITABLE FOR RESIDENTIAL USE WITH A CAPACITY OF 15 DWELLINGS OR MORE.

H23 TO NEGOTIATE THE PROVISION AND RETENTION OF A SIGNIFICANT PROPORTION OF AFFORDABLE HOUSING WHERE INDICATED IN THE SCHEDULE OF MAJOR DEVELOPMENT SITES.

- 5.10e The Council will expect residential development on sites with a capacity of 15 dwellings or more to contribute a significant proportion of dwellings (see Glossary for definition) on the site to the stock of affordable housing. The capacity of a site will be assessed against its size, a dwelling mix which reflects the demographic profile of the Borough and UDP residential density policies. Larger sites which involve phased or piecemeal development will also be expected to contribute to the provision of affordable housing in line with UDP policies. Land available for development in the Borough is very scarce and suitable sites will be subject to the policy to provide affordable housing in line with Government Guidance. Proposals for such suitable sites which do not provide a satisfactory amount of affordable housing will be resisted by the Council.
- 5.11 The Council will negotiate with developers on individual sites in order to establish the amount of affordable housing to be provided and the mix of dwelling type and unit size as is appropriate for the location. Inevitably, each case will be dealt with on its merits. An integrated and corporate approach to the implementation of policy will be used by the Council which is consistent with PPG3. The Council will require information about the housing need that would be met by the proposal and will have to be satisfied that the proposal would meet a known housing need. Where appropriate, the Council will seek Planning Obligations to secure the future of the housing as affordable. The Council will use the rents set by RSLs working in the Borough as a basis for affordable rental levels in order to meet the most pressing housing needs. An aim of the Council's Housing Strategy is to support the development of balanced communities in the Borough. In order to achieve this objective, new approaches to the provision of affordable lower cost home ownership will be considered by the Council. In the case of such developments, housing costs should not exceed one third of a household's net monthly income. Eligibility will be restricted to applicants who are registered on the Council's Common Housing Register (CHR) or Shared Ownership Register. Most commonly, the best way [of] for ensuring that affordable housing will be enjoyed by successive as well as initial occupiers of property is by involvement of a [registered Housing Association or other social body (e.g. a trust)] RSL providing housing for rent or shared ownership. However, alternative means of securing such provision will be considered on their merits.
- 5.12 The Council has always been concerned about the plight of tenants whose homes are threatened by redevelopment and by conversion schemes, and information about the arrangements for rehousing these tenants will be sought.

Special Needs Accommodation

- 5.13 People with special housing needs include the single homeless, the elderly, those with physical or mental disabilities, people with mental health problems, women who have experienced domestic violence, students, people with a long-term debilitating illness, and Travellers. The Council is aware of the special housing needs of these groups and is concerned that they should be adequately provided for in appropriate locations.

H24 TO WELCOME THE PROVISION OF HOUSING FOR PEOPLE WITH SPECIAL ACCOMMODATION NEEDS IN APPROPRIATE LOCATIONS, HAVING REGARD TO THE EXISTING DISTRIBUTION OF SIMILAR TYPES OF ACCOMMODATION WITHIN THE AREA.

- 5.14 The Council welcomes purpose-built accommodation which enables people with special needs to maintain an independent lifestyle and supports the work of housing associations in this respect. However, the Council wishes to maintain an appropriate balance between different kinds of residential uses within local areas. The Council will resist proposals which would lead to a concentration of special provision within an area.

(i) Residential Hostels

- 5.15 Groups such as the single homeless, people who are mentally ill or disabled, women who have experienced domestic violence and students, often rely upon the provision of residential hostel accommodation for their housing. The decline in the amount of rented accommodation, especially at the cheaper end of the scale, has led to increasing difficulty in finding permanent rehousing for existing hostel residents. This restricts the ability of hostels to release space for newcomers. The number of residential hostels has also been in decline and this trend seems likely to continue. This will serve to restrict still further the accommodation available to these groups.

- 5.16 The term "residential hostel" is rigidly defined by the Council as accommodation intended primarily for medium to long term permanent residential occupancy catering for a wide range of socio-economic groups, sometimes providing an element of care and should not be confused with a "tourist hostel" which is primarily for visitors (see Glossary). The Council wishes to resist the loss of residential hostels to hotels (see also Hotels Chapter, Policy T1).

H25 TO RESIST THE LOSS OF EXISTING RESIDENTIAL HOSTELS, EXCEPT IN EARLS COURT WARD.

- 5.17 The Earls Court Ward is excepted from the above policy because of the abundance of both residential and tourist hostels in the area.
- 5.18 In those cases where the presence of a hostel has resulted in long-standing harm to the amenity of surrounding residential areas, permission may be granted for a change to residential use.

H26 TO PERMIT PROPOSALS FOR RESIDENTIAL HOSTELS ON BEHALF OF RECOGNISED PROVIDERS OF HOSTEL

ACCOMMODATION, WHERE IT CAN BE SHOWN THAT THERE WOULD BE:

- a) NO LOSS OF PERMANENT RESIDENTIAL ACCOMMODATION, UNLESS THE APPLICANTS CAN DEMONSTRATE A KNOWN AND ESTABLISHED LOCAL NEED FOR THAT TYPE OF HOSTEL ACCOMMODATION IN THAT LOCATION;
- b) NO ADVERSE EFFECT UPON THE AMENITY ENJOYED BY LOCAL RESIDENTS. THE PROPOSALS WILL HAVE TO COMPLY WITH THE POLICIES FOR CONSERVATION AND DEVELOPMENT; AND
- c) NO ADVERSE EFFECTS UPON THE ENVIRONMENT AND SAFETY OF NEIGHBOURING RESIDENTIAL AREAS AND ROADS BY WAY OF TRAFFIC GENERATION.

5.19 A recognised provider includes colleges, housing associations, charities and employers providing staff accommodation and other organisations which provide good quality accommodation for groups of people for whom there is a known and established need for accommodation.

(ii) **Sheltered Housing**

5.20 Many elderly people are living in accommodation that is either unsuitable for their needs or is in poor condition. The provision of sheltered housing allows those who wish to move to specially designed group accommodation to do so. Sheltered accommodation can also provide better facilities for people suffering long-term debilitating illness. The most pressing need in the Borough is currently for 'very' sheltered housing, which provides a higher level of care, catering for the frail elderly and people recovering from mental illness. The Council will continue to support the work of housing associations in this respect.

H27 TO WELCOME THE PROVISION OF SHELTERED HOUSING, IN PARTICULAR VERY SHELTERED HOUSING, IN APPROPRIATE LOCATIONS, HAVING REGARD TO THE EXISTING DISTRIBUTION OF SIMILAR TYPES OF ACCOMMODATION WITHIN THE AREA.

5.21 Housing that provides a secure environment in which to live is an important consideration for people who are vulnerable or subject to harassment and discrimination. Careful attention to the design of dwellings created in redevelopment schemes can go a long way towards improving the safety and security for the residents. In considering the merits of proposals for sheltered housing, the Council will pay particular regard to the design and security aspects of the development.

(iii) **Access and Mobility**

- 5.22 Disability, either temporary or permanent potentially affects every one at some stage in their lives. The likelihood of physical and /or sensory disability increases with age but such disabilities are also present in the younger population. The Borough's population has a higher than average proportion of people of 65 and over, and approximately 10% of the total population has a long term limiting illness, and is likely to require suitably designed new or converted housing.
- 5.23 People with disabilities, and those who are frail through long-term illness or old age, require appropriate housing that enables them to live in comfort and independence. The overwhelming majority of disabilities affect mobility in some way. The main requirement, therefore, is housing which is readily adaptable to meet the special mobility needs of people throughout their lives and allows ease of movement around the home and improvement in building access. Mobility and wheelchair standards in the form of supplementary planning guidance have been developed to achieve this. The location of mobility and wheelchair housing must take into account the location of amenities such as local shops and public transport facilities. It is not practical to seek mobility or wheelchair standard housing in all schemes. These will be sought only where dwellings are at ground floor level or reached by a lift. Car parking associated with the development should include bays of the appropriate width and should be suitably close to the dwelling, detailed standards are to be found in the Planning Standards Chapter.

H28 TO SEEK WHERE PRACTICAL THAT GROUND FLOOR DWELLINGS, OR THOSE REACHED BY A LIFT, IN HOUSING DEVELOPMENTS ARE BUILT TO MOBILITY STANDARD AND TO ENCOURAGE CONSTRUCTION TO WHEELCHAIR STANDARD.

(iv) Sites for Travellers

- 5.24 The accommodation needs for Travellers differ from other special needs groups in that serviced sites are required rather than dwellings. [No suitable sites are available in the Borough but] The Council jointly funds, with the London Borough of Hammersmith and Fulham, a site for Travellers in [that] the Borough. [Further provision for Travellers will be considered should suitable sites become available.]

H29 TO RESIST THE LOSS OF THE WESTWAY TRAVELLERS' SITE AND RESIST THE PROVISION OF NEW TRAVELLERS' SITES ELSEWHERE IN THE BOROUGH.

- 5.25 The Council recognises the special housing needs of Travellers and will resist the loss of the Westway Travellers' Site which is located between the elevated sections of the M41 motorway (see Proposals Map). However, further provision for Travellers in the Borough is considered inappropriate because of the densely built-up nature of the Borough and the lack of suitable sites.

Para/ Policy	Wording of Adopted UDP 1995	Proposed Draft Alterations	Reason for Alterations
Chapter iii	HOUSING Housing activity of all sorts proceeded at a high rate in the Borough during the 1980's, but slowed down considerably at the beginning of the 1990's. The total net gain in dwellings through permissions either implemented or under construction for the years 1987-1991 (inclusive) was 1750.	Housing activity of all sorts proceeded at a high rate in the Borough during the 1980's, but slowed down considerably at the beginning of the 1990's. The total net gain in dwellings through permissions either implemented or under construction for the years [1987-1991 (inclusive) was 1750] 1993-1997 (inclusive) was 1800.	Update
v	A new housing capacity figure for the Borough will be included in revised Regional Planning Guidance 3 to be published in 1995. Whilst the Council will endeavour to ensure this level of additional provision is achieved, there are a number of constraints. The number of sites with potential for residential development is declining, as is the number of properties suitable for conversion, and there is an increasing demand for limited on-street parking space. Kensington and Chelsea is already an intensively developed inner city borough with little available development land. If the housing capacity figure as proposed to be included in RPG3 is to be met, a high priority must be placed on allocating all available development land for residential use, except where there is a history of employment-generating uses and the site is unsuitable for housing. This is all the more necessary because of the diminishing number of suitable properties for conversion.	A [new] housing capacity figure for the Borough [will be] included in revised Regional Planning Guidance 3, [to be] published in [1995] 1996. Whilst the Council will endeavour to ensure this level of additional provision is achieved, there are a number of constraints. The number of sites with potential for residential development is declining, as is the number of properties suitable for conversion, and there is an increasing demand for limited on-street parking space. Kensington and Chelsea is already an intensively developed inner city borough with little available development land. If the housing capacity figure [as proposed to be] included in RPG3 is to be met, a high priority must be placed on allocating <u>nearly</u> all available development land for residential use, except where there is a history of employment-generating uses and the site is unsuitable for housing. This is all the more necessary because of the diminishing number of suitable properties for conversion.	Updates
2.2	Under the Greater London Council (General Powers) Acts 1983 and 1984 the use of residential accommodation for temporary sleeping accommodation occupied by the	Under the Greater London Council (General Powers) Acts [1983] 1973 (as amended) and 1984 the use of residential accommodation for temporary sleeping accommodation occupied by the same person for less	Correction

	<p>same person for less than 90 consecutive nights, or for time-sharing schemes where a number of people each have the right to occupy a property for a set period each year, is a material change of use requiring planning permission. The Council will resist the loss of permanent residential accommodation through the provision of such temporary residential accommodation (See also Hotels Chapter, Policy T4).</p> <p>Conversions</p> <p>However, there are drawbacks to dwellings provided by conversions. Although conversions provide new, generally small, dwellings, they can result in the loss of accommodation suitable for families and certain forms of low cost housing such as bed-sitting rooms (see also paragraphs 5.4 and 5.5). Conversions can lack privacy, have inadequate noise insulation, and be badly designed, although the Council ensures that conversion schemes requiring planning permission are of an adequate standard. The increase in number or size of dwellings associated with many conversion schemes puts extra pressure on existing facilities such as parking, due to the higher car ownership rates of the occupants (see also Planning Standards Chapter and consult with the Director of Building Control as appropriate).</p>	<p>than 90 consecutive nights, or for time-sharing schemes where a number of people each have the right to occupy a property for a set period each year, is a material change of use requiring planning permission. The Council will resist the loss of permanent residential accommodation through the provision of such temporary residential accommodation (See also Hotels Chapter, Policy T4).</p> <p>Conversions</p> <p>However, there are drawbacks to dwellings provided by conversions. Although conversions provide new, generally small, dwellings, they can result in the loss of accommodation suitable for families and certain forms of low cost housing such as bed-sitting rooms (see also paragraphs 5.4 and 5.5). Conversions can lack privacy, have inadequate noise insulation, and be badly designed, although the Council ensures that conversion schemes requiring planning permission are of an adequate standard. The increase in number or size of dwellings associated with many conversion schemes puts extra pressure on existing facilities such as parking, due to the higher car ownership rates of the occupants (see also Planning Standards Chapter and consult with the Director of Building Control as appropriate). <u>The Council will ensure that the conversion of self-contained residential units into smaller dwellings does not generate unacceptable levels of on-street parking demand or exacerbate severe problems of restricted on-street provision. On-street parking pressure in an area is considered to be unacceptable when the legal parking space (see Glossary for definition) occupied exceeds 90% of the legal space available. In cases where off-street parking provision is not possible, the Council will not</u></p>	
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<p>H6</p>	<p>H6 TO PERMIT PROPOSALS FOR THE CONVERSION OF SELF-CONTAINED RESIDENTIAL UNITS INTO SMALLER DWELLINGS, EXCEPT WHERE THEY WOULD RESULT IN:</p> <p>(a) EXCESSIVE LEVELS OF ON-STREET PARKING DEMAND;</p> <p>(b) THE UNACCEPTABLE LOSS OF OFF-STREET PARKING SPACES;</p> <p>(c) THE LOSS OF FAMILY-SIZED DWELLINGS OF FIVE HABITABLE ROOMS OR FEWER WHICH HAVE DIRECT ACCESS TO AMENITY SPACE.</p>	<p>grant planning permission unless means can be agreed to avoid any increase in on-street parking demand (see section 7 of the Transportation Chapter).</p> <p>H6 TO PERMIT PROPOSALS FOR THE CONVERSION OF SELF-CONTAINED RESIDENTIAL UNITS INTO SMALLER DWELLINGS, EXCEPT WHERE THEY WOULD RESULT IN:</p> <p>(a) [EXCESSIVE] UNACCEPTABLE LEVELS OF ON-STREET PARKING DEMAND OR ADD TO ALREADY UNACCEPTABLE LEVELS;</p> <p>(b) THE UNACCEPTABLE LOSS OF OFF-STREET PARKING SPACES;</p> <p>(c) THE LOSS OF [FAMILY-SIZED DWELLINGS] HOUSES OR FLATS OF [FIVE HABITABLE ROOMS OR FEWER] 100 SQUARE METRES (GROSS) OR LESS WHICH HAVE [DIRECT] ACCESS TO AMENITY SPACE;</p> <p>(d) THE CREATION OF UNDERSIZED DWELLINGS WHICH ARE CONTRARY TO COUNCIL STANDARDS.</p>	<p>New wording is consistent with criterion (b) and reflects situations where existing on-street parking is limited.</p> <p>Revised criterion to improve the precision with which protected dwellings are defined.</p> <p>New criterion which emphasises concern over the quality of converted dwellings</p>
<p>H15</p>	<p>TO REQUIRE A SUBSTANTIAL PROPORTION OF HOUSING TO BE PROVIDED ON THOSE SITES TO WHICH THIS POLICY APPLIES AS IDENTIFIED IN THE SCHEDULE OF MAJOR</p>	<p>TO REQUIRE A SUBSTANTIAL PROPORTION OF HOUSING TO BE PROVIDED ON THOSE SITES TO WHICH THIS POLICY APPLIES AS IDENTIFIED IN THE SCHEDULE OF MAJOR [SITES WITH] DEVELOPMENT</p>	<p>Reflect new heading for UDP list of development sites</p>

4.2	<p>SITES WITH DEVELOPMENT OPPORTUNITIES AND SHOWN ON THE PROPOSALS MAP.</p> <p>A number of sites have been identified on the Schedule of Major Sites with Development Opportunities and Proposals Map where redevelopments will be expected to provide housing on all or at least the major part of the site area or floorspace. Such housing provision must be carefully designed to achieve an acceptable level of amenity for residents with regard to the location of any proposed business uses. (See also Offices and Industry Chapter Policy E3).</p> <p>Affordable Housing Provision</p> <p>Despite the decline, the Borough still has a greater proportion of private rented accommodation than anywhere else in the United Kingdom. The Council recognises that certain types of accommodation meet a specific need and will not normally consider favourably proposals which involve the loss of such accommodation. In particular, the Council is concerned that bedsit accommodation which is in compliance, or capable of complying, with building regulations and the standards laid down by the Housing Acts, should normally be maintained. However, there may be circumstances in which the loss of an HMO may be allowed, for example, in order to secure the essential restoration of a listed building where improvement is needed, and in which the existing HMO layout is harmful to the historic character of the building, or in appropriate locations having regard to the distribution of HMOs within the area.</p>	<p>[OPPORTUNITIES] SITES AND SHOWN ON THE PROPOSALS MAP.</p> <p>A number of sites have been identified on the Schedule of Major [Sites with] Development [Opportunities] Sites and Proposals Map where redevelopments will be expected to provide housing on all or at least the major part of the site area or floorspace. Such housing provision must be carefully designed to achieve an acceptable level of amenity for residents with regard to the location of any proposed business uses. (See also Offices and Industry Chapter Policy E3).</p> <p>[Affordable Housing Provision] Houses in Multiple Occupation (HMOs)</p> <p>Despite the decline, the Borough still has a greater proportion of private rented accommodation than anywhere else in the United Kingdom. The Council has undertaken research which demonstrates the continuing <u>high demand for HMO accommodation in the Borough and the valuable role the existing HMO stock makes towards meeting housing need and supporting the local economy.</u> Consequently, the Council recognises that certain types of accommodation meet a specific need and will not normally consider favourably proposals which involve the loss of such accommodation. In particular, the Council is concerned that bedsit accommodation which is in compliance, or capable of complying, with building regulations and the standards laid down by the Housing Acts, should normally be maintained. However, there may be circumstances in which the loss of an HMO may be allowed, for example, in order to secure the essential restoration of a listed building where improvement is</p>	<p>Update.</p> <p>New heading to reflect restructuring of section.</p> <p>Update to reflect relevant Council research.</p>
5.5	<p>Affordable Housing Provision</p> <p>Despite the decline, the Borough still has a greater proportion of private rented accommodation than anywhere else in the United Kingdom. The Council recognises that certain types of accommodation meet a specific need and will not normally consider favourably proposals which involve the loss of such accommodation. In particular, the Council is concerned that bedsit accommodation which is in compliance, or capable of complying, with building regulations and the standards laid down by the Housing Acts, should normally be maintained. However, there may be circumstances in which the loss of an HMO may be allowed, for example, in order to secure the essential restoration of a listed building where improvement is needed, and in which the existing HMO layout is harmful to the historic character of the building, or in appropriate locations having regard to the distribution of HMOs within the area.</p>		

5.7	<p>Housing associations are now the major providers of affordable housing for rent in the Borough. They assist in the housing of the statutorily homeless and for people with special accommodation needs as well as hostel provision for groups such as people with a mental illness, the single homeless and people with physical disabilities. They also contribute towards improving the housing stock. The Council encourages the provision of rented accommodation (especially affordable accommodation) in any large residential or mixed-use developments and will look favourably upon arrangements to secure the transfer of ownership of a proportion of the site, or some of the dwellings created, to registered Housing Associations or other providers of affordable housing for this purpose. Where appropriate, the Council will seek Planning Obligations to secure and retain the provision of affordable housing. Proposals for housing associations to convert properties into self-contained dwellings, in liaison with existing tenants, will be welcome where there is no</p>	<p>needed, and in which the existing HMO layout is harmful to the historic character of the building, or in appropriate locations having regard to the distribution of HMOs within the area. Proposals [for housing associations] from Registered Social Landlords (RSLs) to convert properties into self-contained dwellings, in liaison with existing tenants, will be [welcome] assessed in relation to how long the RSL has owned the property and whether [where] there is [no] a significant reduction in [accommodation in terms] the number of bedspaces. RSLs, in liaison with the Council, will be encouraged to manage existing HMOs for the benefit of lower and middle income workers who have a need to live close to their place of work in the Borough.</p> <p>[Housing associations] RSLs are now the major providers of affordable housing for rent in the Borough. They assist in the housing of the statutorily homeless and for people with special accommodation needs as well as hostel provision for groups such as people with a mental illness, the single homeless and people with physical disabilities. They also contribute towards improving the housing stock. The Council encourages the provision of rented accommodation (especially affordable accommodation) in any large residential or mixed-use developments and will look favourably upon arrangements to secure the transfer of ownership of a proportion of the site, or some of the dwellings created, to [registered Housing Associations] RSLs or other providers of affordable housing for this purpose. Where appropriate, the Council will seek Planning Obligations to secure and retain the provision of affordable housing. [Proposals for housing associations to convert properties into self-contained dwellings, in liaison with existing tenants, will be</p> <p>Text altered and relocated from para. 5.7. The exception allowed to RSLs to self-contain HMOs without reference to the history of ownership cannot now be justified in the light of a much depleted HMO stock. However, the Council believes RSLs could make a useful contribution to the management of the stock.</p>
5.8	<p>Housing associations are now the major providers of affordable housing for rent in the Borough. They assist in the housing of the statutorily homeless and for people with special accommodation needs as well as hostel provision for groups such as people with a mental illness, the single homeless and people with physical disabilities. They also contribute towards improving the housing stock. The Council encourages the provision of rented accommodation (especially affordable accommodation) in any large residential or mixed-use developments and will look favourably upon arrangements to secure the transfer of ownership of a proportion of the site, or some of the dwellings created, to registered Housing Associations or other providers of affordable housing for this purpose. Where appropriate, the Council will seek Planning Obligations to secure and retain the provision of affordable housing. Proposals for housing associations to convert properties into self-contained dwellings, in liaison with existing tenants, will be welcome where there is no</p>	<p>Text moved to end of paragraph 5.5</p>

	<p>significant reduction in accommodation in terms of bedspaces.</p> <p>The Council wishes to encourage an increase in the provision of affordable housing in the Borough, such as that provided by registered Housing Associations (affordable housing is that which is approximately equivalent in cost to the occupier as that provided by housing associations working in the Borough). The provision of affordable housing has been established as a material consideration for inclusion in the Plan.</p>	<p>welcome where there is no significant reduction in accommodation in terms of bedspaces.]</p> <p><u>Affordable Housing Provision</u></p> <p>Delete paras 5.8, 5.9, 5.10 and Policies H22 and H23, and replace with:</p> <p><u>5.8 Planning Policy Guidance Note 3: Housing (PPG3)</u> has established the need for affordable housing as a material consideration which may properly be taken into account in formulating development plan policies. More detailed advice is contained in the Government Circular 6/98: Planning and Affordable Housing. Paragraph 4 of this circular defines affordable housing as both low-cost market and subsidised housing that will be available to people who cannot afford to rent or buy houses generally available on the open market. Kensington and Chelsea has the most expensive residential property market in the country and affordability (as defined by the relationship between prices and incomes) has probably worsened since the adoption of the UDP in 1995. The housing market, generally, cannot provide residential accommodation for those on low or middle incomes. The most recent price information indicates that the average purchase cost and rent of a one bedroom property in the Borough is £168,000 and £269 per week respectively (London Research Centre Bulletins, 2nd and 1st Qtrs. respectively, 1998).</p> <p>Consequently, the concept of affordable low cost market housing (except for HMOs) is not relevant to the circumstances of Kensington and Chelsea.</p>	<p>New text to explain and support the Council's new approach to the provision of affordable housing.</p>
<p>5.9</p>	<p>The high cost of housing in London means that many households cannot afford even the smallest properties. Kensington and Chelsea was the most expensive London Borough in terms of house prices and private sector rents in 1991. The London Research Centre estimated that in 1990, in London as a whole, there was a need for 380,500 additional social dwellings to meet the needs of the homeless, potential households, overcrowded households and households in unsatisfactory accommodation. This Council estimates that at least 9,000 additional affordable residential units are required to satisfy the housing needs of households living in the Borough. In order to satisfy the need for affordable homes for rent in this Borough, the Council will seek the provision of an adequate supply of affordable housing on residential development sites throughout the Borough.</p>	<p>Updated information on affordability in the Borough.</p>	
<p>5.10</p>	<p>The Council will expect residential development on sites of over 0.05 hectares to contribute a significant proportion of dwellings on the site to the stock of affordable housing. Land available for development in the Borough is very scarce and for this reason sites over 0.05 hectares will be</p>	<p>5.9 The Council carries out a broad analysis of housing</p>	

<p>subject to the policy to provide affordable housing. The Council wishes to ensure that the present proportion of affordable housing in the Borough, about one third, is maintained (a figure of one third corresponds to the proportion of households living in affordable or lower cost housing at the time of the 1991 Population Census). It would be impracticable to require a third of all residential redevelopment on all sites to be in the form of affordable housing. However, if the affordable housing target is to be met, the large sites in the Schedule of Major Sites with Development Opportunities should provide a higher proportion (i.e. more than one third) of affordable housing in order to compensate for those smaller sites where affordable housing might not be practicable. In order to monitor the success of this policy, the Council will regularly assess the proportion of new affordable housing provided within the total new housing stock.</p>	<p>need each year to inform the Housing Strategy and Housing Investment Programme. This takes into account a number of factors including: incomes, rent levels, house prices, stock condition, and applications on the Council's Common Housing Register (CHR). This analysis produces projections of future housing need based on trends in the rate of new applications on the CHR and projected supply data.</p> <p>At the end of July 1998 there were over 8,000 applicants on the CHR; of these 3,694 households were assessed as being in high housing need. However, lettings in social housing available to the Council are limited to approximately 1,000 homes each year. At current rates of application and assuming letting levels remain the same, the shortfall between high need and supply could reach nearly 7,000 by April 2005.</p> <p>5.10 The development of affordable housing within the Borough is extremely difficult and, therefore, the Council has continued to work with RSLs and other local authorities to develop housing out-of-borough. However, success in out-of-borough development is contingent upon the Council continuing to support affordable housing within its boundaries. Given the current and projected lack of available sites in the Borough, it is reasonable to assume that, based on experience to date, approximately 50% of all future new supply of affordable housing will continue to be developed by RSLs outside the Borough. Accordingly 50% of the 7,000 homes needed to meet high need are expected to be provided outside the Borough. Therefore, it is proposed that the UDP target for affordable housing should be set at 3,500 homes over the ten year life of the Plan. If achieved, this number of homes would meet the</p>	<p>Updated information on housing need in the Borough.</p> <p>New target for affordable housing provision in the Borough.</p>
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	<p>higher levels of housing need in the Borough, but would not provide sufficient accommodation for every household in housing need.</p> <p>5.10a The Council wishes to ensure that the present proportion of affordable housing in the Borough, about one third, is maintained (a figure of one third corresponds to the proportion of households living in affordable housing or HMOs at the time of the 1991 Population Census). The application of the Council's policies will in practice exclude a large number of small sites and proposals, which do not have sufficient capacity, from the requirement to provide affordable housing. However, if the affordable housing target is to be met, the large sites in the Schedule of Major Development Sites should provide a higher proportion (i.e. more than one third) of affordable housing in order to compensate. In order to assess the success of this policy, the Council will regularly monitor the proportion of new affordable housing provided within the total new housing stock.</p> <p>5.10b It is likely that the use of planning powers will continue to be a key mechanism for providing the majority of all identified affordable housing programmes in Kensington and Chelsea, especially if RSLs, such as housing associations, can no longer compete effectively in the local housing market for sites and properties. The supply of adequate finance is necessary but not sufficient for development to proceed. The main resource issue is an inadequate supply of land for development. Therefore, where a requirement for an element of affordable housing is appropriate, it should be provided on-site as part of the proposed development.</p>	<p>Explanation of Council's new approach.</p>
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HOUSING

	<p>5.10c When a residential proposal (which is acceptable in principle) is affected by the Council's affordable housing policy (i.e. the site is considered to have a suitable dwelling capacity) a minimum proportion of one third of the housing should be affordable. There are three ways that this requirement can be fulfilled:</p> <ul style="list-style-type: none"> (a) provision of affordable housing on site (this is the strongly preferred option); or (b) provision of affordable housing on an alternative site supplied by the developer within the Borough; or (c) payment to provide affordable housing elsewhere in the Borough. <p>5.10d Where provision on-site or on an alternative site is proposed, this can be achieved by the developer, RSL or both. The preferred approach is the provision of affordable housing on-site, included within the facilitating private development. Where it can be demonstrated by the developer that this is not possible (for example, because the proposal is a conversion of an existing building and joint management cannot be arranged), an alternative site will be sought for the provision of affordable housing. If the alternative site route is followed, an amount equivalent to 33% of affordable housing on the "donor" site will be sought plus the equivalent amount which would have been provided on the "recipient" site, subject to further detailed assessment and compliance with planning policies. Finally, it is only where this is also considered unachievable that an in-lieu payment to secure affordable housing elsewhere in the Borough will be</p>	<p>New policy consistent with</p>
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<p>H22</p>	<p>H22 TO SEEK WHERE APPROPRIATE THE INCLUSION AND RETENTION OF A SIGNIFICANT PROPORTION OF AFFORDABLE RESIDENTIAL UNITS ON RESIDENTIAL DEVELOPMENT SITES OF OVER 0.05 HECTARES (0.12 ACRES) IN SIZE.</p>	<p>H22 TO NEGOTIATE THE PROVISION AND RETENTION OF A SIGNIFICANT PROPORTION OF AFFORDABLE HOUSING ON SITES SUITABLE FOR RESIDENTIAL USE WITH A CAPACITY OF 15 DWELLINGS OR MORE.</p>	<p>negotiated. The payment should reflect the high land values in the Borough and the cost of providing a significant amount of affordable housing.</p>
<p>H23</p>	<p>H23 TO SEEK THE PROVISION AND RETENTION OF AFFORDABLE HOUSING WHERE INDICATED IN THE SCHEDULE OF MAJOR SITES WITH DEVELOPMENT OPPORTUNITIES.</p>	<p>H23 TO NEGOTIATE THE PROVISION AND RETENTION OF A SIGNIFICANT PROPORTION OF AFFORDABLE HOUSING WHERE INDICATED IN THE SCHEDULE OF MAJOR DEVELOPMENT SITES.</p>	<p>5.10e The Council will expect residential development on sites with a capacity of 15 dwellings or more to contribute a significant proportion of dwellings (see Glossary for definition) on the site to the stock of affordable housing. The capacity of a site will be assessed against its size, a dwelling mix which reflects the demographic profile of the Borough and UDP residential density policies. Larger sites which involve phased or piecemeal development will also be expected to contribute to the provision of affordable housing in line with UDP policies. Land available for development in the Borough is very scarce and suitable sites will be subject to the policy to provide affordable housing in line with Government Guidance. Proposals for such suitable sites which do not provide a satisfactory amount of affordable housing will be resisted</p>
<p>H22</p>	<p>H22 TO SEEK WHERE APPROPRIATE THE INCLUSION AND RETENTION OF A SIGNIFICANT PROPORTION OF AFFORDABLE RESIDENTIAL UNITS ON RESIDENTIAL DEVELOPMENT SITES OF OVER 0.05 HECTARES (0.12 ACRES) IN SIZE.</p>	<p>New policy consistent with Circular 6/98. All the housing sites included in the Schedule of Major Development Sites have a capacity of 15 dwellings or more.</p>	<p>Circular 6/98.</p>

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HOUSING

5.11	<p>The Council will negotiate with developers on individual sites in order to establish the amount of affordable housing to be provided and the mix of dwelling type and unit size as is appropriate for the location. The Council will require information about the housing need that would be met by the proposal and will have to be satisfied that the proposal would meet a known housing need. Where appropriate, the Council will seek Planning Obligations to secure the future of the housing as affordable. Most commonly, the best way of ensuring that affordable housing will be enjoyed by successive as well as initial occupiers of property is by involvement of a registered Housing Association or other social body (e.g. a trust) providing housing for rent or shared ownership.</p>	<p>by the Council.</p> <p>5.11 The Council will negotiate with developers on individual sites in order to establish the amount of affordable housing to be provided and the mix of dwelling type and unit size as is appropriate for the location. Inevitably, each case will be dealt with on its merits. An integrated and corporate approach to the implementation of policy will be used by the Council which is consistent with PPG3. The Council will require information about the housing need that would be met by the proposal and will have to be satisfied that the proposal would meet a known housing need. Where appropriate, the Council will seek Planning Obligations to secure the future of the housing as affordable. The Council will use the rents set by RSLs working in the Borough as a basis for affordable rental levels in order to meet the most pressing housing needs. An aim of the Council's Housing Strategy is to support the development of balanced communities in the Borough. In order to achieve this objective, new approaches to the provision of affordable lower cost home ownership will be considered by the Council. In the case of such developments, housing costs should not exceed one third of a household's net monthly income. Eligibility will be restricted to applicants who are registered on the Council's Common Housing Register (CHR) or Shared Ownership Register. Most commonly, the best way [of] for ensuring that affordable housing will be enjoyed by successive as well as initial occupiers of property is by involvement of a [registered Housing Association or other social body (e.g. a trust)] RSL providing housing for rent or shared ownership. However, alternative means of securing such provision will be considered on their</p>	<p>Update to reflect boundary changes and comply with</p>
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5.24	<p>Sites for Travellers</p> <p>The accommodation needs for Travellers differ from other special needs groups in that serviced sites are required rather than dwellings. No suitable sites are available in the Borough but the Council jointly funds, with the London Borough of Hammersmith and Fulham, a site for Travelers in that Borough. Further provision for Travelers will be considered should suitable sites become available.</p>	<p><u>merits.</u></p> <p>Sites for Travellers</p> <p>The accommodation needs for Travellers differ from other special needs groups in that serviced sites are required rather than dwellings. [No suitable sites are available in the Borough but] [t]he Council jointly funds, with the London Borough of Hammersmith and Fulham, a site for Travelers in [that] the Borough. [Further provision for Travelers will be considered should suitable sites become available.]</p> <p><u>H29 TO RESIST THE LOSS OF THE WESTWAY TRAVELLERS' SITE AND RESIST THE PROVISION OF NEW TRAVELLERS' SITES ELSEWHERE IN THE BOROUGH.</u></p> <p>The Council recognises the special housing needs of Travellers and will resist the loss of the Westway Travellers' Site which is located between the elevated sections of the M41 motorway (see Proposals Map). However, further provision for Travellers in the Borough is considered inappropriate because of the densely built-up nature of the Borough and the lack of suitable sites.</p>	<p>Circular 1/94: Gypsy Sites and Planning.</p> <p>New policy</p> <p>Reasoned justification to support new policy.</p>
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Schedule of Major [Sites With] Development [Opportunities] Sites

Map Ref. No.	SITE ADDRESS	DEVELOPMENT APPROVED BY PLANNING PERMISSION	Date Permission Granted	ACCEPTABLE LAND USES	UDP Policy
[01]	St. Ervans Road, British Rail Yard (P)	-	-	Business (Offices, Light Industrial, R&D), Open Space and Community Facilities	
[02]	Ladbroke Hall, Barby Road	Residential, Class B1, Children's Centre, Health Centre	05.05.94	Residential including affordable housing, Business (Offices, Light Industrial, R&D), Open Space and Community Facilities	E3, H15, H23, apply
03	Kensal Green Gasworks	Outline B1/B2 Development subject to S52 (S106) not signed 1990.	-	Business (Offices, Light Industrial R&D), Recreation, Wildlife Reserve (and B2), residential including affordable housing	H23 applies
04	T/A Centre, Warwick Road	-	-	Residential including affordable housing, Open Space, Recreation, Social/Community and Business (Offices, Light Industrial, R&D)	E3, H15, H23, apply
[05]	Fenelon Place and HRS Site, Warwick Road (1P)	Class B1 and Residential (Ombeter Site) 25,000m ² B1 and B1(c)	24.06.91 (appeal)	Business (Offices, Light Industrial, R&D), Residential including affordable housing, Community Facilities, Coach Park, Open Space, Recreation, Retail, and link road	E3, H15, H23, apply
05	Fenelon Place, (Phase II), Warwick Road	Business, leisure use including rifle club, coach/lotry park, link road (partial)	3.5.96	Residential including affordable housing, Business (Offices, Light Industrial, R&D), Hotel, Community Facilities, Coach Park, Open Space and link road	E3, H15, H23 apply
05	Ombeter Site, Warwick Road	-	-	Residential including affordable housing, Business (Offices, Light Industrial, R&D)	E3, H15, H23, apply
05	HRS Site, Warwick Road	272 residential units including 52 affordable	23.12.98	Residential including affordable housing, Business (Offices, Light Industrial, R&D), Open Space, Community, Recreation	E3, H15, H23, apply
06	Iranian Embassy Site, 117A-122 Queens Gate, 34-49 Harrington Road	33 flats and diplomatic/cultural centre	07.05.91	Residential and Cultural Centre	[H15 applies]
07	South Kensington Underground Station Site	Retail, A2, Food and Drink, Business, Residential, new Underground Station	8.1.99	Business (Offices, Light Industrial, R&D), Retail, Hotel, Leisure, Residential including affordable housing with improvements to station	E3, H15, H23, apply
08	49-93 Pelham Street	Retail, A2, Food and Drink, Business, Residential, new Underground Station	8.1.99	Retail, Business (Offices, Light Industrial, R&D), Residential including affordable housing	E3, H15, H23, apply
09	Block A, Duke of York 11-Q, King's Road (1P)	Retail, Offices (Block A)	08.06.90	Retail (and) Business (Offices, Light Industrial, R&D), Residential including affordable housing, Institutional Education, Health Care, Public Open Space	E3, H15, H23 apply
10	National Heart and Lung Hospital, Sydney Street (D)	-	-	Phase II of new Hospital development, Retail, Medical Day Care Facilities	

[11]	Brompton Hospital: North Block (P)	-	-	-	Residential including affordable housing and Open Space	H23 applies
12	Clearings I and II (P)	-	-	-	Residential including affordable housing, Business (Offices, Light Industrial, R&D), Retail (and), A3, Open Space	E3, H15, H23, apply
13	Kings College 552 Kings Road	1) 273 Residential units, Class B1 office, open space 2) Film studio + restaurant	1) 13.01.93 *2) 13.11.92	-	Residential including affordable housing; Open Space (and), Business (Offices, Light Industrial, R&D), GP Surgery	E3, H15, H23, apply
[14]	350 King's Road	Retail, car parking and B1	27.06.91	-	Business (Offices, Light Industrial, R&D), Retail and A3	
[15]	Harrods Car Park, Brompton Place, 11 - 13 Brompton Place	2645 sq. m Office space, 115 parking spaces and residential	31.10.90 (appeal)	-	Business (Offices, Light Industrial, R&D) and Residential	E3, H15 apply
[16]	Site adjoining Olympia Station, Russell Road	Continued use of vehicle park	26.06.92 (3 years)	-	Residential including affordable housing along entire Russell Road frontage, Business (Offices, Light Industrial, R&D)	E3, H15, H23, apply
17	Sidings north of Little Bridge	-	-	-	Road to relieve traffic congestion around Earls Court Exhibition Centre	
18	Sidings West of Philbeach Gardens	-	-	-	Rail-related development.	
19	Brompton Hospital: South Block, Fulham Road (P)	-	-	-	Social/Community uses, Residential hostel, Residential including affordable housing and retail frontage along Fulham Road	H15, H23 apply
[20]	College House, 29-31 Wrights Lane	15,903 m ² office space	05.04.90	-	Business (Offices, Light Industrial, R&D), Residential including affordable housing	E3, H15, H23, apply
21	Road Link to Earls Court Exhibition Centre	Link road (partial completion)	3.5.96	-	Service road to relieve traffic congestion around the Earls Court Exhibition Centre	
[22]	Ladbroke Grove Highway Improvement	-	-	-	Highway improvement and rebuilding of canal bridge	
23	Thames Path	-	-	-	Extension to existing Thames Path including a new pedestrian bridge across Chelsea Creek	
New Site	Lots Road Electricity Generating Station, Lots Road (P)	-	-	-	Residential including affordable housing, Business (Offices, Light Industrial, R&D) along the Lots Road frontage, Retail, Food and Drink, Leisure, Health Care, Public Open Space, Thames Path, Cycle Route	H15, H23, apply
New Site	Atkins Building, King's College, Camden Hill Road (P)	-	-	-	Residential including affordable housing, Education	H15, H23 apply
New Site	Queen Elizabeth College, King's College, Camden Hill Road (P)	-	-	-	Residential conversion including affordable housing, (listed building), Education	H15, H23 apply
New	Camden Hill Reservoir, 97 Camden	-	-	-	Residential including affordable housing, Tennis Courts, Open Space	H15, H23 apply

Site	<u>Hill Road</u>					
New Site	<u>Odeon Cinema, 261-265 Kensington High Street (P)</u>	-	-		<u>Cinema and Residential including affordable housing</u>	<u>H23 applies</u>
New Site	<u>Lightfoot Hall, King's Road</u>	-	-		<u>Residential hostel, Residential including affordable housing, Retail along the King's Road frontage, GP Surgery</u>	<u>H15, H23 apply</u>
New Site	<u>King's College, Manresa Road (P)</u>	-	-		<u>Residential including affordable housing, small-scale Business (Offices, Light Industrial, R&D), Artists' Studios, Social and Community, Education</u>	<u>H15, H23 apply</u>
New Site	<u>Kingseate House, 536 King's Road</u>	-	-		<u>Residential including affordable housing, Business (Offices, Light Industrial, R&D), GP Surgery</u>	<u>H15, H23, E3 apply</u>
New Site	<u>Former London Electricity Depot, 20 Victoria Gardens (P)</u>	-	-		<u>Residential including affordable housing, Public Short-Stay Car Park</u>	<u>H15, H23 apply</u>

Planning Briefs/Guidelines (P)

THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA
PLANNING AND CONSERVATION COMMITTEE: 11 JANUARY 1999

AFFORDABLE HOUSING POLICY REVIEW

REPORT OF THE EXECUTIVE DIRECTOR OF
PLANNING AND CONSERVATION

This report is intended primarily to inform Members of the current situation and is written in response to changes in the Government's approach to the provision of affordable housing via the planning system and the implications for Council policy. Most of the contents of this report were approved by the Unitary Development Plan Working Party at its meeting on 19 March 1998 where it was agreed that a report should go to the Planning and Conservation Committee prior to the drafting of alterations to the UDP. A new section is included in this report explaining the significance of Circular 6/98: Planning and Affordable Housing, published in April 1998. Updated information is also provided on housing needs and the definition of affordable housing. It is considered that the Council's approach could be altered to take account of the new arrangements. This report will also be presented to the Housing Committee for information. A copy of Circular 6/98 is available for inspection in the Members' Room.

FOR COMMENTS

1.0 BACKGROUND

- 1.1 In July 1997 the Department of the Environment, Transport and the Regions (DETR) issued draft revised Circular 13/96: Planning and Affordable Housing, the main proposal of which was to lower the site size threshold (for Inner London) from 25 dwellings to 15 dwellings and from 1 hectare to 0.5 of a hectare or more (irrespective of the number of dwellings). Either threshold triggers the ability of local planning authorities to negotiate the provision of affordable housing as part of a market housing development. A report was submitted to the Planning and Conservation Committee on 22 September 1997 in which the contents were approved as the Council's formal response to the DETR. The Committee agreed that the Council's approach to the provision of affordable housing via UDP policies would need to be reviewed in the light of recent changes.
- 1.2 The use of the planning system to provide a significant proportion of affordable housing requirements in the future is likely to remain a feature for many years to come, and will be important in meeting the housing needs of the Borough. This will require an integrated corporate approach from officers covering a wide range of skills and knowledge, and procedures are currently being devised and will be reported to both the Planning and Conservation and the Housing Committee with a view to achieving this goal (see paras. 5.5 - 5.7).

2.0 CIRCULAR 6/98: MAIN IMPLICATIONS

- 2.1 The final version of the draft circular was published as Circular 6/98 in April 1998, after the Government considered the various responses to the document, and has been partially rewritten in such a way as to strengthen the negotiating position of local planning authorities. Paragraph 1 states:

".. where there is evidence of need for affordable housing, local plans should include a policy for seeking an element of such housing on suitable sites. Such policies will be a material consideration in determining an application for planning permission."

The main area of interest lies in the emphasis now given to the incorporation of affordable housing as part of a residential development. Paragraph 21 states:

"... where a requirement for an element of affordable housing is appropriate, it should be provided as part of the proposed development. The release of a site, where a local planning authority has decided that an element of affordable housing should be pursued, without ensuring the provision of that housing on the land in question, may undermine the objectives of the policy."

- 2.2 The second main feature of the final version of the circular is the explicit reference made to its own content as a material consideration in the determination of development proposals. Paragraph 24 states:

"Where a local planning authority considers, having regard to the policy in this Circular, that certain sites are suitable for inclusion of an element of affordable housing and an applicant does not make such provision as part of the proposed development, such a failure could justify the refusal of planning permission."

3.0 POLICY ANALYSIS

National and Regional Government Guidance

- 3.1 Planning Policy Guidance Note 3: Housing (PPG 3) has established the need for affordable housing as a material consideration which may properly be taken into account in formulating development plan policies (para. 38). Circular 6/98: Planning and Affordable Housing provides guidance on how to implement affordable housing policies in practice and has considerably strengthened the effectiveness of local planning authorities in negotiating the provision of affordable housing.
- 3.2 Strategic Guidance for London Planning Authorities (RPG 3) acknowledges that the planning system can make a contribution to meeting housing needs by

ensuring a supply of new housing units and by encouraging a mix of housing types when considering applications (para. 4.20).

Current UDP Policies

- 3.3 The adopted UDP currently has two policies which seek the provision of affordable housing on both windfall and identified development sites within the Borough. They are respectively:

H22 TO SEEK WHERE APPROPRIATE THE INCLUSION AND RETENTION OF A SIGNIFICANT PROPORTION OF AFFORDABLE RESIDENTIAL UNITS ON RESIDENTIAL DEVELOPMENT SITES OF OVER 0.05 HECTARES (0.12 ACRES) IN SIZE.

H23 TO SEEK THE PROVISION AND RETENTION OF AFFORDABLE HOUSING WHERE INDICATED IN THE SCHEDULE OF MAJOR SITES WITH DEVELOPMENT OPPORTUNITIES.

- 3.4 Policy Wording: the UDP has devised (under instruction from the UDP Inspector) a strict hierarchy of wording included in the introductory chapter in which "to seek" is identified as an "encouraging" policy which in itself cannot provide a reason for the refusal of planning permission. Consequently, the absence of any provision of affordable housing as part of a development proposal on a suitable site when assessed against H22 and H23, could not in itself be grounds for the withholding of permission. This is a serious limitation on the Council's ability to negotiate the inclusion of affordable housing as part of a development scheme, and reflects the initially cautious approach taken in PPG 3. However, with the advent of Circular 6/98 it is now possible to use the policy included in the circular as a reason for refusal in cases where a suitable element of affordable housing is not forthcoming, until such time as the UDP is formally altered.

- 3.5 Thresholds: Policy H22 as currently written is clearly at odds with Circular 6/98 because of the very small site size threshold of 0.05 hectares (only 10% of the recommended minimum of 0.5 hectares). Policy H23 is not affected on this criterion because it applies to relatively large development sites and this Council would use the specific dwelling scheme figure (15 or more units) included in the circular to define the appropriateness of a site (owing to the small development proposals which typically come forward in the Borough) in any case.

4.0 CASH IN LIEU PAYMENTS

- 4.1 The use of cash payments in lieu of on-site affordable housing provision is an increasingly widespread practice among some London boroughs and has been used in the past by this Council as a means of securing affordable housing

elsewhere within the Borough at some future date (para. 22 of Circular 6/98 restricts the use of such payments to within the local authority area). Indeed, most of the discussion about the circular among analysts centres on the legitimisation of cash payments and the devising of formulae to calculate appropriate sums of money. The use of cash payments allows local authorities to arrive at flexible solutions in negotiating the provision of affordable housing where on-site provision is deemed impractical.

- 4.2 However, there is a danger in over-emphasising the importance of financial contributions as a "soft" alternative to on-site provision. Developers, in practice, are very eager to "buy out" any affordable housing requirement in order to maintain the full market value of their proposed development. Should this practice become widespread, the result will be merely to defer the hypothetical provision of affordable housing to some unknown future date while in the meantime valuable sites are developed without the inclusion of affordable housing. Circular 6/98 (para. 1) urges local authorities to ensure a mix of housing types to encourage the development of mixed communities, and the best way to achieve this is through well planned and discrete mixed tenure developments. The recent approved development on land between Russell Road and the railway is a good example of how affordable and market housing can be integrated on the same site.
- 4.3 The London Planning Advisory Committee (LPAC) has attempted to orchestrate a London-wide approach to the use of cash payments in the interests of consistency and transparency. However, the work is hindered by the enormous diversity of circumstances and development issues which affect different London boroughs. Kensington and Chelsea is unique in many ways and possesses:
- the highest residential property prices and land values in the UK
 - the highest residential densities in the UK
 - a very high concentration of listed buildings and conservation areas which places constraints on new development
 - a severe shortage of development land
- 4.4 Current arrangements: Where cash payments are considered acceptable, Circular 6/98 (para. 23) stipulates that planning obligations should be drafted so that payment is made either only on the signing of contracts for the affordable housing development or, in any other case, in the event of non-use after a given date, they should be returned to the developer. The Council has, to date, adopted the latter approach requiring the payment to be made usually prior to the occupation of the market housing. Upon receipt of cash in lieu, these sums must be ring-fenced by the Council. Circular 1/97: Planning Obligations stresses the need for openness in dealing with planning obligations and in particular emphasises the need for these to be made publicly available. To this end, whilst planning obligations have always been available for inspection and registered as local land charges, a separate register of planning obligations is being compiled and should be available shortly.

- 4.5 Planning Briefs: The Council will continue its programme of planning brief preparation on most known major development sites as a means of enabling the proper planning of the Borough. One key area of assessment is the suitability of affordable housing and the preferred amount to be negotiated on individual sites. However, the remaining few large sites have either already been developed (e.g. Ladbroke Hall) or will be in the near future (e.g. Russell Road). There are very few (if any) large institutional or utility land releases likely to arise over the Unitary Development Plan period (10 years), although the Lots Road Power Station is a welcome recent windfall. The lack of development land to meet local housing need will continue to be a major planning issue in the Borough.
- 4.6 Formulae: Much work has been done by LPAC and individual local authorities on the use of financial models to calculate appropriate sums of money when negotiating with developers. The benefits of such a standardised approach lie in the consistency and transparency with which developers can deal with the requirement for affordable housing. However, the suggested models are based on relating market prices or costs to local authority area Total Cost Indicators (TCI). None of these models is considered adequate enough to reflect the particular circumstances of Kensington and Chelsea and in particular the inability of the Housing Corporation's TCI to reflect the real cost of development in Kensington and Chelsea.
- 4.7 RBKC Approach: The Borough Valuer has appraised the development and viability issues concerning the provision of affordable housing and advises against the use of a standard approach to the calculation of cash payments. Instead, in those instances in which a cash payment is considered acceptable, each scheme will be appraised on its merits and a suitable percentage of the site value will be negotiated in lieu of on-site provision. A site value approach is considered preferable because it reflects the realities (i.e. high costs and values) of development economics in the Borough.
- 4.8 To conclude the cash in lieu debate as it affects this Borough, it may be useful to summarise strengths and weaknesses:
- Strengths:
- offers flexibility in addressing housing need via indirect funding of affordable housing
 - allows the weighing up of all material considerations when considering a proposed residential development
- Weaknesses:
- if used as a rule, rather than as an exception, this approach could ultimately undermine the ability of the Council to deliver its affordable housing programme by not securing the necessary development land
 - cash payments will be sensitive to the health of the housing market (under the proposed Kensington and Chelsea approach) and will be lower during a downturn as land values fall
 - unresolved technical difficulties in the ability of the Council to spend received sums

5.0 NEW POLICY APPROACH

5.1 Circular 6/98: The issue of Circular 6/98 requires the Council to strengthen its approach to the provision of affordable housing. Although this report is not the place to rewrite UDP policies, it would be useful to outline the issues which could be reflected in any subsequent alteration. In particular, the policies could reflect:

- the specific dwelling figure included in Circular 6/98 in order to comply with Government guidance and thereby achieve credibility
- stronger wording to allow resistance to unacceptable developments
- a site capacity criterion which prevents developers circumventing the dwelling capacity trigger by submitting low density or inappropriate large unit schemes, or the subdivision or piecemeal development of larger sites
- an integrated approach to implementation which can be explained in any new supporting text

5.2 Sequential Test: When a residential proposal (which is acceptable in principle) is affected by the Council's affordable housing policy (i.e. the site is considered to have a suitable dwelling capacity), there are three ways that this requirement can be fulfilled:

- (a) provision of affordable housing on site (this is the strongly preferred option)
- (b) provision of affordable housing on an alternative site supplied by the developer within the Borough
- (c) payment in lieu of affordable housing

5.3 Where provision on-site or on an alternative site is proposed, this can be done by the developer, Registered Social Landlord (RSL) or both. The preferred approach is considered to be the provision of affordable housing on-site, contiguous with the facilitating private development. If it can be demonstrated by the developer that this is not possible (for example, because the proposal is a conversion of an existing building and joint management cannot be arranged), an alternative site will be sought. If the alternative site route is followed, an amount equivalent to 33% of affordable housing on the "donor" site will be sought, subject to further detailed assessment and compliance with planning policies. Finally, it is only when this is also considered unachievable that an in-lieu payment will be negotiated based on market site value.

5.4 In practice each negotiation will be different. According to Circular 6/98 (para.10), each site should be assessed in relation to site size, suitability and the economics of provision in order to calculate the amount of affordable housing that can be provided. Other relevant issues include land contamination, whether a listed building is involved and the standard of finish of the proposed units. Inevitably, each case will be dealt with on its merits. This process could result in delays and may cause difficulties to developers in the absence of a formalised implementation process.

- 5.5 Implementation: A more integrated and streamlined approach is currently under consideration within the Council. A corporate approach is consistent with advice contained in PPG3 and a report published by the London Housing Federation ("Good Practice in Planning and Affordable Housing: the London Experience", May 1997). The mechanics of affordable housing development are increasingly complex and require working across Council Directorates in order to assess the real potential of development sites. In particular, there is a need to adopt a more consistent approach to the negotiation of payments in lieu of on-site provision.
- 5.6 It is suggested that the Executive Director of Planning and Conservation and the Director of Housing and Strategic Development should report to their respective Committees on appropriate mechanisms to respond quickly to opportunities and problems created by the development process. The following specialisms are likely to be required: housing needs and funding, development control, planning policy, valuation and legal. Once the appropriateness of negotiating the provision of affordable housing has been accepted, the method adopted will need to consider issues affecting the site and the preferred route for securing affordable housing.
- 5.7 The Directorate of Housing and Strategic Development and the Housing Corporation are involved in an initiative to pilot a new framework for improved programme delivery in the Borough (Joint Commissioning). It is a response to the Government's desire to see the Approved Development Programme related more closely to local needs and spent more cost effectively. In Kensington and Chelsea there is a long history of local authority investment in development by Registered Social Landlords (RSLs), as well as close liaison with the Housing Corporation in relation to its own development programme. Joint Commissioning is a logical progression to that history of collaboration and complementary funding. It will bring improvements in longer term planning and greater flexibility within a joint programme over a three year period.
- 5.8 Housing Needs and Targets: The UDP Housing Chapter includes a paragraph (5.9) on the housing needs of the Borough in line with advice contained in PPG 3. This appraisal was carried out based on information collected in 1990 by the London Research Centre. The analysis resulted in an estimated need for approximately 9,000 additional affordable dwellings in the Borough. This information was presented as evidence at the UDP Inquiry and was not contested. The Directorate of Housing and Strategic Development has improved the quality of housing needs information available for planning purposes by establishing a 'Common Housing Register' (CHR).
- 5.9 Estimates of housing need are set out in para. 5.13 below. These show a shortfall of nearly 7,000 affordable homes by 2005. It is likely that as a consequence of prohibitive development costs in Kensington and Chelsea over half of all new homes developed during this period will be located outside the Borough. Therefore, it is proposed that the UDP target for affordable housing should be amended to 3,500 homes over the ten year life of the Plan. If

achieved, this number of homes would meet the higher levels of housing need in the Borough, but would not provide sufficient accommodation for every household in housing need.

- 5.10 The results of this work can be fed into the UDP Housing Chapter as an update. The use of the 33% overall target referred to in para. 5.10 of the UDP Housing Chapter is still relevant and modestly seeks to maintain the proportion of households living in affordable or lower cost housing at the time of the 1991 Population Census.
- 5.11 Definition of Affordable Housing: Kensington and Chelsea remains the most expensive residential property market in the country and affordability (as defined by the relationship between prices and incomes) has probably worsened since the adoption of the UDP. The market, generally, cannot provide residential accommodation for those on low or middle incomes. The most recent price information indicates that the average purchase cost and rent of a one bedroom property is £160,500 and £278 per week respectively (London Research Centre Bulletin, 1st Qtr, 1998). The existing UDP definition of affordable housing uses local housing association rents as a proxy and will be retained to meet the Borough's most pressing housing needs. A key aim of the Council's Housing Strategy is to support the development of balanced communities in the Borough (see para. 5.16 below). The pressures generated in a high cost area such as Kensington and Chelsea can lead to a polarised housing market in which the needs of high income and low income groups are met respectively by the open market and subsidised social housing. However, it is increasingly difficult for key workers and middle income earners to find affordable accommodation in the Borough because of high prices and restricted access to social housing. It is these groups who will become the focus for new initiatives, and the provision of affordable housing to meet their needs will form a key element in the Council's new approach.

Comments by the Director of Housing and Strategic Development

- 5.12 The Director of Housing and Strategic Development has provided comments on the following issues which are crucial to the successful implementation of a corporate approach to the delivery of affordable housing.
- 5.13 Housing Need: The Common Housing Register (CHR) provides a reasonable estimate of housing need in Kensington and Chelsea, although it does not include transfer applications for all housing association stock. A comprehensive local housing needs survey would demonstrate that reliance on the CHR provides an underestimate of total housing need. At the end of July 1998 there were over 8,000 applicants on the CHR; of these 3,694 households were assessed as being in high housing need. However, lettings in social housing available to the Council are limited to approximately 1,000 homes each year. At current rates of application and assuming letting levels remain the same, the shortfall between high need and supply could reach over 6,000 by April 2005.

- 5.14 Housing Supply: Over the past five years approximately 617 new units of accommodation have been developed to meet housing needs. The development of affordable housing within the Borough is extremely difficult and therefore, the Council has continued to work with housing associations and other local authorities to develop housing out of borough. The Council has access to 629 units of accommodation in other local authorities and 61 additional units are under development. Success in out of borough development is contingent upon the Council continuing to support affordable housing within its boundaries. Other local authorities would not be willing to support Kensington and Chelsea initiatives in their areas if they suspected the Council was not trying to meet housing needs locally. Therefore, it is essential that the UDP affordable housing policies support Housing Strategy objectives.
- 5.15 Section 106 Agreements and Cash in Lieu Payment: Maximising the on-site provision of affordable housing through s.106 agreements is of critical importance in meeting housing need. This is because unless property and land prices are reduced through the application of a s.106 agreement they are in the main too high to qualify for public subsidy. Problems also exist in the use of cash in lieu payments as a result of prohibitively high property values and the severe shortage of local development opportunities. These factors combine to make the development of affordable housing extremely difficult within the Borough. It is likely that the use of planning powers will continue to be a key mechanism for providing the majority of all identified affordable housing programmes in Kensington and Chelsea, especially if Registered Social Landlords (RSL), such as housing associations, can no longer compete effectively in the local housing market for sites and properties. The supply of adequate finance is necessary but not sufficient for development to proceed. The main resource issue is an inadequate supply of land for development. This is why there should be a strong preference to negotiate for on-site provision as a starting point in each case.
- 5.16 Affordable Ownership and Key Worker Housing: A further aim of the Council's Housing Strategy is to support the development of balanced communities in the Borough. In order to achieve this objective new approaches to the provision of affordable lower cost home ownership and key worker housing are being considered by the Directorate of Housing and Strategic Development in consultation with the Directorate of Planning Services. This includes an assessment of the scope for applying cash in lieu payments to achieve this policy objective. Detailed recommendations on how to progress this initiative will be made to the appropriate committees later in the year.

6.0 CONCLUSIONS

- 6.1 The main conclusion to be drawn from this report is the opportunity now available for the Council to pursue a more informed approach to the provision of affordable housing using the planning process.

6.2 The key planning issue for the Borough is the continuing shortage of development land which is likely to worsen in the future. This feature effectively decides the Council's approach which expresses a preference for on-site provision of affordable housing.

6.3 Until such time as the UDP is formally altered, the provisions in Circular 6/98 should be treated as a material consideration when assessing proposals for residential development in substitution of current UDP policies, along with the Council's emerging implementation arrangements.

7.0 SUMMARY

7.1 The Committee is requested to comment on the contents of this report and a possible new approach to the Council's affordable housing policy which could:

(a) reflect the proposals contained in Circular 6/98 which will be taken into account as an interim policy until such time as the Council's UDP is altered; and

(b) use the sequential test; and

(c) pursue a more integrated approach to the provision of affordable housing utilising both the planning system and improved internal procedures; (see paras. 5.6 and 5.16).

7.2 It is proposed that the officers should be asked to investigate the means for broadening the scope of affordable housing provision so as to encompass key worker and middle income groups, in addition to meeting traditional needs, and that such options for provision are both legally achievable and can result in accommodation remaining in the affordable housing sector.

7.3 The Committee may wish to consider the setting up of a joint Planning and Housing Working Group to consider and report back on this issue, and to propose that Members take part.

FOR COMMENTS

M.J.French,
Executive Director of Planning and Conservation.

Background Papers used in the Preparation of this Report: Circular 6/98 -
Planning and Affordable Housing

Contact Officer: Any person wishing to inspect the above document should contact Tracey Rust (Planning Information Office) on 0171-361-2079/2080

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The Strategic Context



The morning rush hour on Kensington High Street

The Unique Local Housing Market

Kensington and Chelsea is a diverse borough, sharing many of the social, economic and environmental problems of other inner city areas but with a unique and complex local housing market which creates extra challenges. The main factors which influence the local housing situation include:-

- the highest land prices in the country
- the highest residential density in London
- wealth and deprivation side by side
- increasing vulnerability amongst existing social housing tenants and applicants for housing
- excess of demand over supply for privately rented housing
- the limited opportunities for people on middle incomes to become home owners
- increasing private sector rents, including rents regulated by the Rent Officer service

Needs and Resources

The Royal Borough of Kensington and Chelsea, in common with many other London Boroughs, is faced by rising demand for assistance from people in housing need and reduced financial resources. In particular, there are few available sites with which to meet these needs.

The Government is revising the Index of Deprivation which is used partly for allocating resources to local authorities. The proposals to drop some indicators, such as children in unsuitable accommodation, will have far reaching consequences for the Royal Borough. It is estimated that, as a result, the Generalised Needs Index for Kensington and Chelsea will decrease by over 18% - the largest decrease in London. Potentially, these changes could have a devastating effect on the level of resources available to the Council.