

Elephant Amenity Network
Comments on New Southwark Plan Preferred Option Oct 2015

Strategic Policy 1 Quality Affordable Homes

We support the Council's ambition to build 11000 council homes, but in line with previous comments on the Options version New Southwark Plan (NSP) Oct 2014 we remain concerned about whether the direct delivery of 11000 council homes can be achieved in an equitable and sustainable manner within the New Southwark Plan framework (eg maintaining the distinction between suburban and urban areas).

We also continue to believe that, aside from the direct delivery of 11000 council homes, affordable housing policy should prioritise the delivery of social rented housing above all other kinds. In line with this we oppose affordable rent and the New Southwark Plan should prohibit its use.

We also continue to be concerned about the wide spread use of viability assessments by developers and the consequent loss of social and affordable housing. We welcome the Council's draft SPD on viability assessments and will be commenting on this separately.

We support the Council's position on Starter Homes (that they should only be built in line with the NSP Policies) and we further believe that other recently announced government measures (ie the four year 1% annual rent reduction and the Housing and Planning Bill 2015) represent a grave threat to the Council's ambitions for Quality Affordable Homes, which it cannot afford to ignore.

In particular the Housing Bill proposals to include Starter Homes within the definition of affordable housing, to end secure tenancies, to force the sale of high value council homes and to increase rents for so-called 'high income' tenant households will render much of the rationale of Strategic Policy 1 null and void.

We therefore propose that as a matter of urgency the Council produce an assessment of the likely impact of these changes on the New Southwark Plan and use this for further public consultation, extending the time for consultation if necessary.

DM1 Affordable Homes

DM1.1 We welcome that the Council has maintained 35% as the affordable housing requirement, with the entailed percentages for intermediate and social rented housing. However such is the scale of housing need that serious consideration must be given to increasing this.

We therefore propose that the affordable housing requirement be increased to 50%, 70% of this to be social rented, 30% to be intermediate and that no area in the borough has requirements that fall below this.

We welcome the change to the calculation of the affordable housing requirement, by using Gross Internal Area, instead of number of habitable rooms.

We suggest that the title to Table 1 might be changed to make it clearer that the percentages for intermediate housing and social rented housing refer to the total amount of housing in a development, rather than as percentages of affordable housing (which is how they are described in the text).

DM1.2 We welcome a policy that ensures the maximum contribution from private developments towards affordable housing (and council housing in particular) but think that this policy needs amplification.

We note that it appears a tariff will no longer be used for the calculation of a payment in lieu of affordable housing. A properly applied tariff has the advantage of certainty for both the Council and a developer. We assume that any change will not net the Council less affordable housing payments than previously.

We therefore propose that no change to calculating in lieu payments be adopted that nets the Council less affordable housing payments than previously.

The policy as outlined moves through a hierarchy of means, that would provide or fund affordable housing – on-site, off-site, in lieu payment - without explaining when, and why, each of these means would be applied.

The method of calculating the amount due in off-site contributions is weakly and unclearly worded. It too easily assumes, first, that affordable housing cannot be provided on-site, second, that there will be a shortfall. The policy should be worded to make it clearer to developers what the Council's priorities are and the necessity of meeting those if a planning application is to be granted.

The method of calculating the amount due in off-site contributions depends upon the gross development value of a policy compliant scheme being established and may incentivise a developer to present figures that diminish their affordable housing contribution.

We suggest that the second sentence be reworded to read 'The value of the financial contribution will be the difference between the gross development value of a policy compliant scheme and the value of any shortfall in affordable housing'.

We propose that this reworded sentence is further considered to ensure that it accurately details how the financial contribution will be calculating, without any ambiguity that could be exploited to decrease the contribution.

We propose that the policy details

- the Council's priority for on-site affordable housing
- the circumstances where off-site affordable housing will be permitted
- the information a developer will be required to provide if they propose off-site affordable housing, a payment in lieu of affordable housing, any reduction in affordable housing or the mix of affordable housing or any combination of these
- the means that the Council will employ to ensure that the gross development value of a policy compliant scheme is true and accurate.

DM 1.3 We welcome the requirement that developments of nine or less homes make a financial contribution to council housing, but with similar reservations about how the policy will be implemented, as outlined for DM 1.3.

We propose similar changes to the policy as those given for DM 1.2, to ensure that developments of nine homes or less pay the full financial contribution for the delivery of council housing.

We also propose adding to DM1 another condition, to the effect that so-called 'poor-doors' ie separate entrances or lifts exclusively for the use of one group of tenant or resident (private, intermediate, social rented, leaseholder) will not be permitted.

We propose the further condition that public areas and amenities in a development must be accessible to all residents, regardless of tenure.

We believe that these new condition require little justification – the practice of separating residents in these ways is becoming familiar, but remains repugnant. It makes a mockery of any aim of creating mixed and cohesive communities and the proposed remedy is in line with the requirement that new developments have 'tenure blind' housing.

Reasons

We do not understand why 21% is given as the minimum figure for social rented housing in the penultimate paragraph. It is different from the 24.5% given in Table 1.

We welcome the Council's emphatic rejection of affordable rent, and agree that it fails to meet the housing needs of Southwark's residents.

DM4 Private Rented Homes

We welcome the conditions that have been laid down for planning permissions for private rented homes. However we also note that 3 year tenancies remain short and are not conducive to settled and stable communities. We support the requirement to

deliver affording housing in accordance with DM1 and agree with the reasons for this.

Reasons

We note that there is much that is new in this policy, reflecting the rise in the number and proportion of private rented accommodation in the borough. This has been accompanied by a decline in the number and proportion of social rented homes. We believe that the two trends are connected and that the best rent option remains social rented and council housing, which provides greater housing security at much lower cost. We also note there will now be a large preponderance of private rented sector homes in the new developments at the Elephant and Castle (around 900 in the Tribeca Sq/Elephant Rd and London Park Hotel developments, against around 300 public sector/housing association homes, mostly affordable rent, mainly on Elephant Park). This will mean significant demographic change, the consequences of which have not been addressed in the various local plans.

We therefore believe the policy is inadequate as it stands and needs to go beyond simply acknowledging the upwards trend of private rent and supporting private institutional investment, albeit on conditions.

We therefore propose that the policy is amplified after consideration of, amongst other things, any net displacement effects of large PRS schemes, the impact on the local economy and infrastructure from the point of view of current residents, the impact on local rents and cost of housing.

DM5 Housing for older people

We welcome the policy's emphasis on new specialist housing and note the intention to provide homes for older people with good access to goods and services, near town centres and regeneration area, but are concerned that the condition that specialist housing may be lost if replaced elsewhere in borough may not be properly fulfilled, either because of the unsuitability of the new location or for some other reason.

We therefore propose that this policy is strengthened by adding the further circumstances under which such permission will be given and how a 'comparable' level of suitable alternative accommodation will be defined.

We also believe that in the spirit of Age Friendly development and a Fairer Future much more consideration should be given to the housing needs of young people, who are in a greatly disadvantaged position in the housing market, being unlikely to qualify for social/affordable housing and unable to afford to either buy or rent.

We therefore propose that a new policy is required specifically to address the housing problems that young people face and proposing planning policy solutions towards solving those problems.

DM7 Houses in multiple occupation and hostels

We agree that excessive clustering of HMOs and hostels can undermine the social cohesion of the area. We therefore welcome the conditions and measures in this policy, including consideration of Article 4 Directions.

DM8 Optimising delivery of new homes

DM8.1 As residents and workers in the north of the borough we are very concerned by both the present day impact on our daily lives of large scale developments in the area and the longer term social and economic changes these developments are bringing. It is clear from Table 4, Permitted residential density ranges and Figure 3, Map of permitted residential density ranges, how unfavourably the north and central parts of the borough fare compared to the south of the borough. The probability of an Old Kent Rd Opportunity Area/Action Area underscores these concerns.

We therefore propose that the number of habitable rooms per hectare for each of the three zones in Table 4 is reconsidered, and that in particular there is lower density in the Central Activities Zone and Canada Water Opportunity Area Core and higher density in the Suburban Zones.

DM8.2 We believe that there is very little justification for increasing the permitted density of development permitted in DM8.1 An 'exemplary standard of residential design' may mitigate the effects of high density development for the residents, but it does not take into account the cumulative impact of making exceptions to the rule.

We therefore propose deleting DM8.2. Failing this we suggest adding the words 'fulfil all the following requirements:' after '...design must' in DM8.2

DM9 Design of places

We welcome the consideration the policy gives to ensuring new developments are amenable and civilised places to live in. However we are concerned about the approach. The public realm is described as a 'network of spaces, streets and paths between buildings'. It is also a network of council estates, at least in over half the borough, but these are not mentioned. We note that the Forward refers to 'estate infill' as a means of delivering much needed council homes. Further, the Council has an Asset Management Strategy in place, to guide the future improvement and development of its council estates. It would therefore be a considerable omission for the New Southwark Plan not to include a policy about estate infill.

We therefore propose that it is imperative that the New Southwark Plan contain a policy about estate infill to include, but not limited to, protection of green space, density of development, protection of current amenities, tenure mix and rehousing residents.

We also have concerns about the interpretation and application of some of the conditions listed, which have a heavy emphasis on streets, ignoring the 'urban grain' created by council estates. The inference is that while street layout is desirable and preferred, estate design is not. We believe that there are many estates which have layouts that are socially beneficial, including green spaces and estate amenities, and worthy of retention.

We therefore propose an addition to DM9, saying that in the case of estate infill and development planning permission will be granted for developments that build upon the existing benefits of the estate layouts and amenities.

Gypsy and Traveller Sites

We are alarmed that we can see no policy for gypsy and traveller homes. This was DM 10 in the Options Version, Oct 2014, but has now been omitted without explanation.

We strongly support the London Gypsy and Traveller Unit New Southwark Plan Preferred Option consultation response (11 Feb 2016) and its three action points, which we copy here;

For the New Southwark Plan to be considered sound in its next iteration it is necessary to:

- **Include a policy on Gypsy and Traveller provision in line with the national Planning Policy for Traveller Sites which sets pitch targets based on evidence of needs. This evidence could use as a baseline previous accommodation needs assessment results, or the council could commission a review of existing evidence in conjunction with the Gypsy and Traveller community and support organisations.**
- **Identify suitable land for Gypsy and Traveller site provision together with all other site allocations for meeting general and specialist housing needs**
- **Set a clear timetable for undertaking this work before the next consultation stage**

Continued

DM12 Tall Buildings

We are concerned about the proliferation of very tall buildings, particularly very tall residential buildings, in the north of the borough. It is generally acknowledged that tall buildings are not the most suitable buildings for families. Developers often assert that very tall buildings are not suitable for affordable housing either, on the spurious

grounds that different tenures must have different entrances, with the prohibitive expense of extra cores. It is thus a building type favoured by developers who do not want to provide affordable housing, particularly social rented housing. Nor do those very tall buildings being built at the Elephant have much architectural merit eg Strata Tower; their attraction is that their views command higher sales values. We can therefore see little to recommend them.

We note from Fig 1 that Regeneration Areas cover more than half the borough, which would allow the tallest high buildings almost everywhere, bar Dulwich. Many of the conditions for tall buildings listed are loosely phrased and subjective.

We therefore propose that this policy be extensively amended to emphasise that planning permissions will not be given to tall buildings unless developments meet the requirements of policies DM1 Affordable homes (including a new condition prohibiting ‘poor doors’ – see above) and DM2 New family homes, in particular.

DM22 Student homes

We welcome the requirement that student development in Regeneration Areas will require both 35% affordable housing and 27% affordable student rooms, but would wish it to be brought into line with our proposal for DM1.1 Affordable homes that the minimum requirement be 50% affordable housing.

We therefore propose that the affordable housing requirement for student development be increased to 50%, 70% of this to be social rented, 30% to be intermediate and that no area in the borough has requirements that fall below this.

DM22.2 We note though the requirement that ‘nominated further and higher institutions’ provide only as much conventional affordable housing ‘as is viable’.

No reason is given for the lack of a minimum requirement in this case and we can see no justification for it, given that the provision of student housing is a thriving and profitable business, often undertaken in partnership with commercial companies.

We therefore propose deleting DM22.2 from the policy.

DM32 Betting shops, pawnbrokers and pay day loan shops

We welcome and support this policy.

DM34 Pubs

We welcome and support this policy

DM45 Low Line walking routes

We welcome and support this policy

DM47 Infrastructure improvements

We acknowledge the importance of these infrastructure improvements, but this policy is very scant and needs amplification, particularly given the scale and cost of the public transport infrastructure projects listed. The policy needs to state how 'support' for these projects is defined and whether such support will take priority over other policy requirements, such as DM1 Affordable Homes and DM2 New Family homes.

We propose amending this policy to describe and define the kind and level of support that a development will need to provide to the infrastructure improvements for planning permission to be granted and further that the policy states that such support will not be acceptable in place of meeting policy requirements DM1 Affordable Homes and DM2 New Family homes.

DM52 Open space and open water space

Many council estates have open spaces, including green spaces, which relieve the density of the area and provide the benefits given in the 'Reasons' for this policy, but these council estate open spaces are not listed here. Council estate open space is often the most immediately available space for informal recreation and their loss would be keenly felt by estate residents.

We therefore propose that this policy is amended to state that planning permission will not be granted for developments on council estate open and green spaces, in line with our comments and proposals for DM9 Design of Places.

Appendix 5, New Southwark Plan New and amended Sites of Importance for Nature Conservation (SINCS)

We endorse the support of the Friends of Nursery Row Park for the following proposals:

- Schedule of proposed new SINCS: NSP S5: Nursery Row Park Grade: Local
- Schedule of proposed new SINCS: NSP S3 Salisbury Row Park Grade: Local
- Schedule of proposed new SINCS: NSP S17: Faraday Gardens and St Peters Churchyard: Grade: Local

Appendix 4, New Southwark Plan Preferred Option Appendix 4 New open spaces

We strongly support the proposals, and in particular the following:

- New open space from new Site of Importance for Nature Conservation (SINC) or SINC extension designation: NSP NOS18 Nursery Row Park, re-incorporation of part of Site 51A back into Nursery Row Park
- New open space designation: NSP NOS3 Rodney Road / Victory Park
- New open space from new Site of Importance for Nature Conservation (SINC) or SINC extension designation: NSP NOS19 Salisbury Row Park extension

However, in relation to the proposals in both the above appendices, we make the following comments:

There is a boundary error:

The boundary of Nursery Row Park as shown in Appendix 4 and Appendix 5 is incorrect: the Brandon St frontage does not match the current OOS designation. Details of this are shown overleaf.

Protection of SINC designations by conversion from OOS to BOL

We note that existing SINC identified in 1995 were afforded by Planning Policy extra protection by designation as BOL (if they weren't already BOL or higher). It is important that the new SINC identified in the review should be upgraded to BOL to be consistent with previous policy and existing designations.

END