



Live/Work

June 2001



CONTENTS

Introduction..... 1

Public Consultation..... 1

Defenition 1

Objectives..... 2

Suitable Location 2

Unsuitable Location 3

Types of Work Element Appropriate for Live/Work Accomodation..... 3

Standards for Development..... 4

- a) Design and Layout
- b) Amenity Space
- c) Unit Size
- d) Refuse Strorage
- e) Parking and Service Areas
- f) Shared facilities
- g) Access

Affordable Live/Work Accomodation 7

Section 106 Agreements 7

Who Else Should I Talk to 8

- Environment Management
- Building Control
- Environmental Health
- Development Control
- Metropolitan Police Service

Appendix 1 - Calculation of Developer's Contribution
Towards Provision of Affordable Housing 9

The Council's Unitary Development Plan (UDP) is the statutory planning framework for the future of the Borough.

To help you when you apply for planning permission, and give the background to both the UDP and other Council policies, the Environment Department has produced a number of Supplementary Planning Guidance Notes (SPGs).

Although not a formal part of the UDP, the guidance note is a material consideration when the Council is dealing with planning applications.

These Guidance Notes:

- ◆ Identify the relevant UDP policy; (for a full statement of the policy, the UDP itself should be consulted)
- ◆ Give planning guidance on design and standards;
- ◆ Provide general advice as well as some information on non-town planning matters such as Building Regulations and Highways, which may need separate approvals from the Council.

This Guidance does not prescribe inflexible standards or standard solutions, but instead describes the development/design principles to be aimed for.

The word 'normally' is implied in much of what follows, but has been omitted to keep the text short.

This guidance has also been prepared as a practical tool to help those who submit planning applications.

This guidance is updated more frequently than the UDP itself, and you are encouraged to discuss your proposals with planning staff before you make a formal planning application.

Please remember that this is guidance only, and your application will always be considered on its merits.

In accordance with PPG 12 'Development Plans' the Council issued a draft version of this document for public consultation between 27th November 2000 and 22nd January 2001. No objections of a material nature were received. The final version of the document was adopted by the Council as Supplementary Planning Guidance on 2nd April 2001.

For the purposes of this guidance live/work accommodation is considered to be an innovative form of development which provides the opportunity for both living and working within a single self-contained unit. It is, however, considered to be 'sui generis' in relation to the Town & Country Planning (Use Classes) Order, since the employment element is not ancillary to the residential use and it is a genuinely composite use.

Live/work accommodation will contribute towards the Council's housing target figures. It is considered to be a flexible use of living space which is designed primarily to permit the occupiers to run certain types of business from their residence. It is distinguished from other forms of ancillary homeworking by the degree to which it can be used as a place of work

INTRODUCTION

PUBLIC CONSULTATION

DEFINITION

OBJECTIVES

or business, and the likelihood of a significant number of visiting clients and/or employees.

The spectrum of live/work is wide ranging and extends from sole trading professionals to staffed practices, and includes high technology services (B1 and A2 uses). The Council believes that live/work accommodation can play an important role in creating sustainable communities and mixed use areas, reducing the need to travel by car, aiding the development of small businesses and providing local investment and a new form of flexible residential accommodation. In determining planning applications for live/work accommodation the Council will assess individual proposals against its planning/regeneration objectives for this form of accommodation. These include:

a) Regeneration:

- i) contributing towards the Council's Vision by extending the range of housing choice and employment facilities provided in the Borough;
- ii) acting as a catalyst for regeneration by attracting new investment into areas of the Borough;
- iii) bringing back vacant buildings into use and tackling bad neighbour uses in residential areas, thereby transforming the area; and
- iv) guarding against the loss of viable employment sites.

b) Sustainable Communities:

- i) to reduce the need to travel by car, by ensuring that development sites have to have good public transport accessibility levels;
- ii) the creation of viable and socially sustainable residential communities;
- iii) improving community safety by creating or increasing the level of activity in an area; and
- iv) to ensure that all new converted/refurbished live/work accommodation is to a high standard of design.

SUITABLE LOCATIONS

In accordance with the Council's planning/regeneration objectives as stated in Part 1 and the Urban Regeneration and Housing Chapters of the Unitary Development Plan, live/work accommodation is generally felt to be appropriate in principle in the following areas:

- i) Major Opportunity Zones - new live/work developments should be integrated with other uses within the site and located on areas identified as suitable for residential development;

- ii) Other Mixed Use Areas - the levels of live/work permitted will depend on the capacity and location of the site;
- iii) Town Centres and Major Thoroughfares - where proposals can demonstrate an exceptionally high quality of design, there is a high level of public transport accessibility and they do not create environmental problems; and
- iv) Residential Areas - primarily the utilisation of former industrial sites / buildings where such development could help overcome problems with established industrial uses. In residential areas this type of accommodation has the potential to act as a bridge between residential and industrial uses.

In order to protect the Borough's traditional employment areas, live/work accommodation is considered an inappropriate form of development in Principle Employment Areas (PEAs) and Local Employment Areas (LEAs) due to the industrial nature of these areas.

In accordance with the tests outlined in Policy EMP7 of the Unitary Development Plan, consideration may be given to live/work developments in LEAs where there is no longer a demand for the Council's preferred employment uses.

One of the Council's objectives is to create sustainable communities. Live/work developments will be required to be linked to existing communities, shops and services. Isolated sites without public transport and necessary supporting community services such as schools, shops, open spaces, childcare, social/meeting places and health facilities, as outlined in Policy S47 in the Unitary Development Plan, would therefore normally be considered inappropriate for live/work developments. There may, however, be exceptional circumstances where relaxation of the policy may be considered. For example, sites in transitional areas where the Council is encouraging a move away from employment use to a more mixed use/residential character, and where live/work accommodation would act as a catalyst in this process.

The work element must be compatible with residential use. There is a wide range of acceptable uses (including B1 and A2 uses) such as fashion, art, design, computing, consultancy, medical and therapeutic practices, from osteopaths and chiropractors to psychotherapists and nutritionists.

In all cases where industrial workshops or processes are proposed careful attention will be necessary to ensure that potential nuisance is not created. Planning conditions may be used to cover the following:

- i) the type of machinery used;
- ii) soundproofing;
- iii) hours of operation of the machinery;
- iv) to generally restrict workshops to the ground floor of the premises;

UNSUITABLE LOCATIONS

TYPES OF WORK ELEMENT APPROPRIATE FOR LIVE/WORK ACCOMMODATION

STANDARDS FOR DEVELOPMENT

- v) to restrict the work element to B1 and A2 uses or others compatible with activities in a residential area; and
- vi) restriction on hours of work.

Plans submitted for development schemes should indicate space allocated for both live area and work area in the unit. Live/work accommodation must be used as a single integrated unit. The work element of live/work accommodation should be retained, and be always available for use by the future occupiers of the unit. No change of use of all or part of the live/work unit should take place without prior approval from the Council.

In order to ensure that live/work will create acceptable forms of residential accommodation and to provide a high quality of residential environment, the Council will have regard to the following UDP policies/standards when considering such applications:

- a) Design and Layout - Policy H17 and Policy H12.

The Council will require a high standard of design for the new developments. This should respect the character of the surrounding area and contribute towards improving the Borough's environmental image. Developments, including alterations to existing buildings, will be assessed in terms of:

- i) their design and the relationship to the character of the surrounding area (taking into account their function, context, form and materials);
- ii) demonstration of a satisfactory level of privacy, outlook and natural light;
- iii) community safety (further information can be found in the SPG Note 'Community Safety') and community cohesiveness; and
- iv) energy efficiency.

- b) Amenity space:

- i) Conversions:

The Council is aware that planning applications for conversions to live/work are likely to be for the conversion of former commercial buildings which are likely to have limited opportunities to provide open space. A pragmatic approach will therefore be taken in dealing with planning applications for conversions. However, where practical, 2 or 3 bedroom family units should be provided with separate amenity space/gardens or an external communal amenity area.

Where there are difficulties in providing external open space, some internal amenity area or a commuted payment towards improving an open space within the vicinity of the site will be sought.

ii) New Build:

Amenity provision should be in accordance with the requirements of SPG Note 'Residential Planning Guidelines,' which requires the provision of garden space of:

45 m² per dwelling for 1 bedroom units

45 m² per dwelling for 2 bedroom units

55 m² per dwelling for 3 bedroom units

For 1 bedroom units, 100 m² of communal garden for up to 4 dwellings and 15 m² for each additional unit will be required.

The provision of amenity space is not only essential for the residential element of live/work accommodation, but is also important in providing an attractive working environment for the occupants of the units.

c) Unit sizes:

The minimum size of the residential element of each unit should be at least 45 m². The Council's aim is to create a satisfactory standard of living accommodation with a sufficient space to work from. The work space should be provided in addition to this and should have sufficient floor area for purposes of ensuring the health, safety and welfare of future uses of the units, in line with the 'Workplace, Health, Safety and Welfare Regulations 1992 (Approved Code of Practice).'

d) Refuse Storage:

The Borough uses the wheeled bin refuse system. Refuse stores of adequate width and depth should be provided for each unit. These should be part of the design of the scheme, and should be located to the nearest refuse collection access point. The store floor should be concrete with a slight slope for satisfactory drainage.

Consideration should also be given to the disposal of any waste arising from the work element of this type of accommodation. Refuse stores may therefore be required for Taylor 1100 bins for trade refuse depending upon the nature of the scheme.

e) Parking and Service Areas:

Parking standards for live/work developments comprise an allowance for the residential element and an allowance for the commercial element, to include servicing needs as necessary. The Council operates lower parking standards in 'Designated

Centres', which generally cover its larger shopping centres (refer to Appendix T2 of the UDP). Elsewhere the Council may consider lower parking standards where public transport accessibility is good, where the development is of a high design quality and where there is no significant effect on amenity and congestion caused by on-street parking.

i) Residential

Cars:

- For 1 bedroom units 1 space per unit in curtilage.
- For 2 bedroom units, 1.5 spaces per unit.
- For 3 bedroom units, 2 spaces per unit.

Cycles:

a minimum of 1 secure space per 4 units, plus 1 space per 10 units for visitors.

Motorcycles:

a minimum of 1 secure space per 10 units.

The cycle and motorcycle parking standards only apply where communal parking is provided.

For Orange/Blue Badge holders - a minimum of 6% of spaces in communal parking areas only.

ii) Commercial:

The Council will require 0.5 spaces per unit for use for delivery vehicles/commercial visitors, and will negotiate for the provision of such facilities with the developer. All deliveries should be carried out off-street. Vehicles should be able to enter and leave the delivery area in forward gear. The extent of the delivery area should be clearly delineated, by variations in colour.

f) Shared Facilities:

Live/work accommodation should be designed with its function in mind. It should provide for regular visitors, and communal areas, such as entrance arrangements, corridors and staircases need to be of a suitable standard. Where development schemes include provision for communal facilities such as photocopy rooms and meeting rooms, the Council will require details of these facilities and an indication of the management of the facilities to be submitted with the planning application. This should ensure the efficient running of the facilities.

g) Access

Newham Council supports full accessibility in all buildings and open areas. Live/work development should be fully accessible in accordance with the Council's SPG Note 'Access for All', Part M of the Building Regulations and the Disability Discrimination Act as appropriate.

Live/work accommodation is a sui generis use under the Town and Country Planning (Use Classes) Order 1987. Notwithstanding this, the Council considers that this use does represent a permanent form of residential accommodation, albeit with an integral work space. As such, the Council will expect live/work accommodation to make a contribution to the Borough's overall housing target.

Similarly, by virtue of the residential nature of live/work accommodation, the Council will seek the provision of affordable units in accordance with the principles set out in Policy H4 and Policy H5 of the Unitary Development Plan. The Council will therefore negotiate for a contribution towards affordable housing needs where a development is of 15 or more units or on a site of 0.5 hectares or more.

The level of the contribution sought by the Council will be guided by the nature of the site. On sites designated for residential development in the Unitary Development Plan the Council will seek a contribution towards affordable housing in accordance with the guidance set out in the UDP and attached at Appendix 1 of this document. On non-designated residential sites the Council will seek a reduced contribution to reflect the character of this type of use. This will be based upon a percentage of the standard formula equivalent to the percentage of the proposal's residential floorspace.

Where demand and a provider for affordable live/work accommodation are identified, the Council would consider the affordable housing contribution being made on-site in the form of affordable live/work units. In other circumstances affordable housing contributions are likely to be either off-site or by way of commuted payments.

Where the applicant can demonstrate the importance and prominence of the work element within a scheme, such as through the setting up of a Management Trust to permanently manage the units, the Council will apply its affordable housing requirements flexibly.

The Council regards live/work developments as a unique form of development involving both residential accommodation and employment floorspace. The main objectives of the Council's planning policies for housing and employment include: seeking to extend the range of housing/residential choice in the Borough, making a provision towards the Borough's affordable housing needs, securing well designed high quality development and strengthening and diversifying the borough's economy. The Council will, therefore, in accordance with Unitary Development Plan Policy S2, seek community benefits from proposals for live/work development to meet the Council's planning objectives. Subject to individual negotiations with the developer, the Council will consider seeking contributions to the Borough's affordable housing needs, support

**AFFORDABLE
LIVE/WORK
ACCOMMODATION**

**SECTION 106
AGREEMENTS**

**WHO ELSE SHOULD I
TALK TO?**

for the provision of necessary social/community services, high quality development and a range of environmental improvements to enhance the immediate locality. In accordance with Government Circular 1/97 'Planning Obligations', the nature of any planning obligation will be related in scale and kind to the proposed development. Where live/work schemes are proposed on sites allocated for residential purposes in the UDP, a contribution towards meeting the Borough's affordable housing needs will be regarded as a priority.

Please note that you may need to meet the requirements of other Council services and/or other organisations. The other Council services you may need to contact are as follows:

Building Control:

For new build development and major refurbishment you are likely to need approval under the Building Regulations. For further information please contact:

Building Control

Town Hall Annexe
Barking Road,
East Ham, London E6 2RP
Telephone: 020 8430 2000 ext. 23300/23325

Environmental Health

For matters including means of refuse disposal, health and safety and noise insulation. For further information please contact:

Environmental Health

Alice Billings House
2-12 West Ham Lane
Stratford, London E15 4SF
Telephone: 020 8430 2000

Development Control

For matters relating to planning applications please contact:

Development Control

Town Hall Annexe, Barking Road
East Ham, London E6 2RP
Telephone: 020 8430 2000
(ask for the Development Control Duty Officer)

For matters relating to crime prevention please contact;

The Metropolitan Police Service

Crime Prevention Officer
Plaistow Police Station
444 Barking Road, Plaistow
London, E13 8HJ
Telephone: 020 7275 5857 or 020 7275 5848

CALCULATION OF DEVELOPER'S CONTRIBUTION TOWARDS PROVISION OF AFFORDABLE HOUSING**APPENDIX 1**

Provision of on-site contribution:

$$\text{Total} = \text{units}/4x (\text{TCl} \times \text{SHG rate})$$

Where:

'Units' is the total number of housing units being developed on the site.

'TCl' is the current Total Cost Indicator for Newham (Housing Corporation data).

'SHG rate' is the ratio of Social Housing Grant to total cost per home, as an average for Newham for the previous year (Housing Corporation data).

Where off-site provision or commuted payments are offered, a similar ratio of market to affordable housing units should be achieved as if they were provided 'on-site'. For example, in a development of 100 new units, where affordable housing is provided 'on-site', the approximate mix of market to affordable housing units will be 75 to 25, or 3:1 (assuming 25% affordable housing is sought). When the affordable housing contribution is off-site or cash-in-lieu, the same site would sustain 100 market units on-site. To achieve the same 3:1 ratio would require the provision of 33 affordable housing units off-site. In the case of commuted payments, an equivalent sum of money will be sought.

Provision of off-site contribution:

$$\text{Total} = \text{units}/3x (\text{TCl} \times \text{SHG rate})$$

The above formula is based on LPAC Advice (Report 75/97)



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