



Quod

R22 Local Plan

Matter 6: Housing Development Management Policies

Newham Local Plan

St William Homes LLP

27TH NOVEMBER 2025

Q253076

Matter 6: Housing Development Management Policies

- 1.1 On behalf of St William Homes LLP ('St William') and Berkeley Homes Capital, Quod submits this hearing statement in respect of Matter 6 Housing Development Management Policies. This hearing statement responds to IN3 'Inspector's matters, issues and questions, written statements; and hearings programme' issued by the Inspector on 9th October 2025.

Policy H3 Affordable Housing

Q6.2 Is policy H3 justified, consistent with the London Plan and will it be effective in helping to meet the identified need for affordable homes? In particular:

- a) The requirement for proposals for ten or more homes to provide 50% of the total as social rent housing and 10% affordable ownership housing (unless a financial viability assessment demonstrates that the maximum viable mix will be delivered).*
- 1.2 Policy H3 of the draft Newham Local Plan enables individual applications to propose less than the 60% strategic needs-based target where: i) the proposed amount has been justified by an application-stage viability assessment; and: ii) the applicant agrees to undertake a late-stage viability review. However, no fast-track route (FTR) threshold is promoted by Policy H3.
- 1.3 This omission is inconsistent with Policy H5 of the London Plan alongside Policies CG4 and H4 and does not align with regional or national direction. Consequently, the Local Plan cannot be considered in general conformity with the London Plan.
- 1.4 The GLA has raised similar concerns in its Regulation 19 consultation response (Appendix 1), and in numerous hearing statements where boroughs have either not proposed a FTR threshold or have sought to introduce a threshold higher than the London Plan.

"The GLA considers that there is a clear conflict between the draft Local Plan and how affordable housing contributions are sought in line with Policy H5 of the London Plan. Applications would need to provide a higher level of affordable housing to follow the Fast Track Route on private, non-industrial land. Those that provide between 35-39% affordable housing would be required to follow the Viability Tested Route. These would be subject to viability testing and late stage reviews. In practice, applicants may propose low levels of affordable housing. This is in line with monitoring undertaken by the GLA which shows that on average referable applications following the Viability Tested Route provide significantly less affordable housing than those that follow the Fast Track Route (see below)"¹

- 1.5 We would draw the Inspector's attention to the Accelerating Housing Delivery Practice Note², which states that such approaches "risk the successful implementation of the London Plan

¹ GLA response to Ealing Local Plan Examination – Main Matter 4 (Housing), 15th May 2025

² Greater London Authority Planning and Housing Practice Note (December 2024) – *Accelerating Housing Delivery*

threshold approach which is a matter of strategic concern for the Mayor. This has been raised by the GLA and will continue to be raised as an issue of general conformity with the London Plan at local plan consultations and inquiries”³.

- 1.6 The London Plan FTR is intended to incentivise developers to take a long-term view of development viability, encouraging many schemes to make a compliant affordable housing offer (35% by habitable room), which in pure viability terms, may be beyond the maximum reasonable level.
- 1.7 The absence of support for the London Plan FTR will only serve only to slow down the planning process (as viability negotiations will be required), whilst depressing affordable housing delivery as developers either elect to take the viability tested route (<35% and increased tenure flexibility) with review mechanisms thus generating lower levels of overall affordable housing at planning stage, or whom will redirect their capital to Boroughs whose policies are consistent with the London Plan.
- 1.8 Developments that progress under the viability tested route will be the subject of a late-stage review, which will require a viability review at the end of the development to assess whether a viability surplus exists that could support additional affordable housing. Where a surplus is identified, the London Plan requires 60% of this be used to deliver additional affordable housing.
- 1.9 While this should in theory maximise housing and affordable housing delivery (by ensuring individual schemes provide the maximum while remaining viable), in practice it leads to reduced levels of delivery. This is because late-stage review mechanisms are, in accordance with national policy, upwards-only and therefore place a cap on potential returns (while failing to mitigate the risk of losses being realised).
- 1.10 This means funders and investors cannot balance the risk of making a financial loss against the potential for making a higher return. This creates challenges for funders when assessing the risk of individual schemes and/or where funding multiple sites (losses on one site cannot be balanced by gains on another).
- 1.11 None of these outcomes are desirable given the current absence of a 5-year housing land supply, and the recent housing delivery positions with the current Local Plan failing to achieve the minimum 75% threshold of the Housing Delivery Test (December 2024). The Site Allocation and Housing Trajectory Note (2025) [EB058] acknowledges these ongoing challenges.
- 1.12 In view of this, it is fundamental that the Local Plan adopts a FTR threshold. However, EB099 does not clearly set out the level of affordable housing that the majority of sites could viably support when including the cumulative cost of policies.
- 1.13 As set out in our Hearing Statement to Matter 1 (Q1.10), our assessment of the Whole Plan Viability Assessment (EB099) demonstrates that only 7 of the 142 tested typologies are viable when applying the 60% strategic affordable housing target alongside other cumulative policy

³ Paragraphs 3.5–3.8

costs. Our analysis indicates that the realistic level of affordable housing delivery is in the range of approximately 10–20% before adjustment for abnormals costs.

- 1.14 Notwithstanding, the GLA and MHCLG have themselves concluded that 20% is an appropriate London-wide threshold as confirmed in the *Homes for London* ('HfL') guidance note issued in October 2025.
- 1.15 While the *HfL* measures are referred to as 'emergency' the associated paper also refers to recovery extending into the 'next decade'. It is likely that the measures will be required in the longer term and will, as a consequence, influence the emerging London Plan. This will result in an eventual inconsistency between the new London Plan (once adopted) and the Newham Development Plan. Flexibility should be applied to allow for this.
- 1.16 At this time, there is no evidence submitted as part of the Local Plan evidence base that supports a viability threshold above 20%. In particular, we note that many schemes are progressing at levels significantly beneath this level.
- 1.17 As set out in detail within our Hearing Statement for Matter 1, i) the cumulative cost of the draft policy requirements significantly exceeds those of the London Plan (2021) and other recently adopted London Borough plans, ii) the London development sector faces acute financial pressures resulting from sustained construction cost inflation and elevated interest rates; and iii) it has been established that planning policy and decisions should not be predicated on highly uncertain projections relating to potential future improvements.
- 1.18 Setting a viability threshold above 20% will set unrealistic development plan expectations. This will, in turn, make it difficult for schemes to obtain local planning consent (due to delivery below this level being perceived negatively or contrary to policy, notwithstanding any actual policy compliance on viability grounds). To address this, the supporting text of Policy H3 must explicitly state that affordable housing delivered via the viability tested route will be afforded equal weighting in the planning balance⁴ as that delivered through the FTR.
- 1.19 Should the market materially improve (or worsen) the Council retains the ability to review the applied viability threshold through a partial review of the plan (or other appropriate mechanism).
- 1.20 The threshold applicable for surplus utilities sites, including gasworks sites, should be applied in a consistent manner with development of other private land (non-industrial land) in accordance with Footnote 59 of the London Plan to reflect the strategic role of gasworks sites in the delivery and their unique characteristics compared to other industrial sites.
- 1.21 This is particularly important given that EB099 excludes all abnormals costs, even where these are known to exist on sites allocated within the plan.
- 1.22 Table 1-1 shows the difference between draft Policy H3 and Policy H6 of the London Plan and the *HfL* consultation note.

⁴ Framework Paragraph 11(d)

Table 1-1 - Comparison of Newham Local Plan Policy H3 and London Plan Policy H6

	Low cost rented/Social Rent*	Intermediate	Private
London Plan Policy H6	<i>Equivalent of 35%</i>		65%
	24.5%	10.5%	
Policy H3	50%*	10%	40%
Difference (+/-)	+ 25.5%	- 0.5	- 25%
HfL Consultation Note	12%*	8%	80%
Policy H3	50% *	10%	40%
Difference (+/-)	+ 38%	+ 2	- 40%

1.25 The draft policy is inconsistent with the London Plan in several key aspects, and should be revised to address this:

1.25.1 The proposed strategic target of 60% exceeds the London Plan's strategic target of 50%. This should be revised in accordance with the London Plan;

1.25.2 The proposed requirement for 50% of C3 homes to be Social Rent significantly exceeds the London Plan's supported tenure mix. The Local Plan tenure mix should be aligned with London Plan Policy H6;

1.25.3 The London Plan FTR (35%/50%)⁵ is not supported, with all schemes proposing less than 60% affordable housing (a delta of 25%) required to submit viability information. A FTR threshold should be adopted, and set at no more than 20% in line with more recent evidence;

1.25.4 The draft policy does not clarify whether affordable housing proportions will be assessed on a unit or habitable room basis. To ensure consistency with the London Plan, a measurement by habitable room should be adopted, and affordable housing definition in accordance with the London Plan should apply.

1.26 Without these amendments, Policy H3 cannot be considered to comply with the London Plan, and as currently drafted, will be unable to effectively meet Newham's affordable housing needs

⁵ Proposed to be reduced to 20% for qualifying C3 development to reflect deliverability and viability challenges facing London (*Homes for London, October 2025*)

and will only serve to constrain delivery by imposing undeliverable requirements that will force the majority of developments through the viability-tested route.

b) The definitions of affordable housing, affordable home ownership, and affordable rent housing.

- 1.27 Policy H3 proposes an affordable housing split of 50% social rent (SR) and 10% intermediate (INT) tenures for all new residential developments. This equates to an 83%/17% split in favour of Social Rent.
- 1.28 The Council's own evidence (EB099) shows the cumulative policy requirements are not viable and render the strategic objective of delivering 60% affordable housing unachievable. A more realistic deliverable level of affordable housing is likely to be approximately 10–20% on average.
- 1.29 Consequently, in order to maximise the delivery of affordable housing against the strategic target, the key policies of the plan (which have a financial cost attached to them as identified in EB0999) must therefore be amended to make clear that the requirements will be applied *flexibly*, taking account of factors including financial viability considerations.
- 1.30 In respect of housing policies, whilst St William acknowledges there is a greater emphasis for SR tenure housing nationally, the proposed tenure requirement (Draft Policy H3) set at 50% SR and 10% INT is substantially above the London Plan Policy H6 range of 30-70%, and the typical split required in other boroughs (c.50–60%).
- 1.31 It also far exceeds the recent *HfL* note endorsed by the GLA/MHCLG, which promotes a 60% SR/ 30 INT tenure split, and post-dates NPPF revisions.
- 1.32 This is critical, noting that the value of SR housing is approximately half of an equivalent INT home.
- 1.33 The Accelerating Housing Delivery Practice Note⁶ is clear that higher proportions of SR can only be requested (or proposed by Applicants) where there is an equivalent reduction in the overall quantum of affordable housing. Other factors are also relevant in considering an appropriate tenure mix include feasibility considerations and the need to maintain mixed balanced communities.
- 1.34 The draft policy is therefore inconsistent with the London Plan in several key aspects and should be revised to address this. Our recommended revisions to reflect this are provided at Appendix 2.

Q6.3 Is policy H4 justified, consistent with the London Plan and will it be effective in helping to meet the identified needs for different types of housing? In particular:

The requirements for proposals for ten or more homes to deliver:

⁶ Greater London Authority Planning and Housing Practice Note (December 2024) – *Accelerating Housing Delivery*

a) 40% of the total as family housing with three or more bedrooms (unless a financial viability assessment demonstrates that the maximum viable mix will be delivered).

- 1.35 The Newham SHMA (June 2022) (EB056) is now more than three years old and may no longer provide an accurate reflection of the Borough's evolving housing needs.
- 1.36 Notwithstanding this, it must be recognised that the Local Plan's housing target is based on the adopted London Plan's strategic capacity figure of 52,000 homes per annum, which was below the assessed need of 62,000⁷ homes per annum at the time of adoption. This need has since increased substantially to 88,000⁸ homes per annum widening the gap between the assessed need and planned provision.
- 1.37 Given the borough's constrained housing land availability, the application of the housing mix required by Policy H4, which requires a high-proportion of family sized units will only serve to suppress housing output below Newham's actual assessed need. This approach is *unsound*, as it conflicts with Paragraph 124 of the Framework that states that, "*Strategic policies should set out a clear strategy for accommodating objectively assessed needs*" and Policy D3 of the London Plan which expects "*all development must make the best use of land by following a design-led approach that optimises the capacity of sites*".
- 1.38 Policy H4 must therefore incorporate flexibility to reflect the Borough's actual development capacity and the suitability and feasibility of individual sites to deliver the preferred housing mix. It must therefore be acknowledged in policy that it will not be possible for every site to deliver a fully compliant housing mix, particularly where doing so, would undermine the optimisation of land for housing.
- 1.39 Such flexibility is essential to ensure that housing delivery can be optimised in accordance with the objectives of both the London Plan and the Framework, while still enabling the delivery of a mix of unit types that support the creation of mixed and balanced communities, as required by national and regional policy.
- 1.40 The prescriptive target for 40% family sized homes to be delivered across all tenures is inconsistent with Policy H10(A) of the London Plan, which expects housing mixes to be informed by local evidence and site characteristics.
- 1.41 This position is demonstrated within our Matter 4 Hearing Statement, where our own testing of the Council's Site Capacity Study (ED003A) assumptions for Site Allocation N13.SA3 demonstrates the application of a compliant Policy H4 housing mix depresses the anticipated housing outputs from 246 homes to c.200 homes.
- 1.42 A blanket policy objective for 40% family sized homes that can only be disapplied when justified on viability grounds is *unsound*, particularly for private and intermediate tenures where affordability often constrains the market for larger units (3Bed+). It also fails to account for the

⁷ Rt Hon Robert Jenrick, Secretary of State for Housing, Communities and Local Government – Letter to Mayor of London on Intention to Publish version of the London Plan, 13th March 2020

⁸ Towards a New London Plan: Consultation Version, May 2025

list of other considerations that determine an appropriate housing mix, as set out by London Plan Policy H10(a).

- 1.43 Furthermore, the requirement for 40% family sized homes across all housing types and tenures, far exceeds the level adopted by other London boroughs. This is critical noting that larger unit sizes create less value, proportionate to their floor area requirements.
- 1.44 For this reason, Policy H10(B) of the London Plan only supports local policy or guidance setting a preferred housing mix for low-cost rented tenures, which can include family sized accommodation. This is set out under Paragraph 4.10.5.

As part of their housing strategy functions, local authorities are required to have an understanding of housing needs in their area (for example, as set out in a Strategic Housing Market Assessment) and this, along with their local Housing Register, will provide the evidence for the size of low-cost rented homes (in terms of number of bedrooms) required to meet identified need. Combined with the considerations set out in Part A, this information should inform local policy or guidance about the size (in terms of number of bedrooms) of low-cost rented units expected on a development. This clarity about the unit size mix for affordable homes, taken together with the threshold approach to affordable housing, will help ensure that applicants and landowners understand the cost implications of overall affordable housing requirements when formulating development proposals and purchasing land. Boroughs should take account of the availability of grant funding when producing guidance or policy on this issue.

- 1.45 Policy H4 must therefore be revised to provide flexibility towards the housing mix for non-low cost rented tenures to enable the housing mix to respond to site-specific circumstances, affordability and market conditions at the time of determination without requiring viability information to be submitted.
- 1.46 The application of flexibility is critical if the plan is to be able to respond to changes in market conditions across its plan-period while continuing to incentivise and optimise housing delivery. Our recommended revisions to reflect this are provided at Appendix 3.

b) No more than 15% of the total to be one bedroom, two person homes and no more than 5% of the total to be studio or one person homes.

- 1.47 A prescriptive housing target for studio and one-bedroom sized units should not be adopted. Flexibility must be applied to ensure that the housing mix for individual developments can appropriately respond to site-specific characteristics, development constraints, and changing market conditions.
- 1.48 Policy H10 of the London Plan recognises that a higher proportion of smaller homes will be more appropriate in highly accessible locations such as town centres or areas with higher public transport access or connectivity. The supporting text recognises that “One-bedroom units play a very important role in meeting housing need, and provision in new developments can help reduce the pressure to convert and subdivide existing larger homes”⁹ but due to their

⁹ London Plan (2021) – Paragraph 4.10.4

inflexibility, smaller units should be delivered alongside a range of other unit sizes to ensure balanced and sustainable communities.

- 1.49 Smaller homes also play a critical role in scheme viability, reflecting their greater land-use efficiency with their smaller overall size typically making them more affordable than larger units.

c) the requirement for proposals on site allocations to provide at least 5% of homes as four or more-bedroom family housing.

- 1.50 A prescriptive requirement for 5% of dwellings within site allocations to be four-bedroom homes is inconsistent with Policy H10 of the London Plan.
- 1.51 By applying this policy requirement to site allocations only, the Council is limiting the scope and opportunity to secure provision of four-bedroom homes in the borough. Indeed, ED001 and EB058 shows that site allocations will deliver approximately 70% of the borough's housing need over the plan-period, and therefore the remaining circa 30% will be met by non-allocated sites which can equally play a role in delivering family sized homes.
- 1.52 It must also be recognised that site allocations are typically located within the most suitable parts of the borough for growth or within areas capable of accommodating substantial character change. These sites are therefore critical to meeting the Council's housing needs and often more appropriate for smaller-sized housing.
- 1.53 Local Plan policies should accordingly seek to optimise housing output on such sites, rather than constrain development by imposing a specific requirement on individual allocations to deliver the borough's four-bedroom housing need. Such an approach would be inconsistent with the best/effective use of land principles set out in both the London Plan¹⁰ and the Framework¹¹.
- 1.54 In line with comments on the 40% requirement for family sized homes, flexibility should be applied to allow development housing mix to respond to site-specific circumstances and changes in market conditions.

Policy H11 Housing Design Quality

Q6.9 Is policy H11 justified, consistent with the London Plan and will it be effective in helping to achieve high quality, sustainable homes? In particular:

a) The requirements in part 2(c) and (d) relating to dual-aspect general needs housing.

- 1.55 Policy H11(2)(c) requires all 3+ bedroom dwellinghouses to be dual aspect. While St William recognises the benefits of dual-aspect homes and supports the Council's objective to maximise their delivery, imposing a specific requirement for *all* 3+ bedroom homes to be dual aspect is overly prescriptive. Site-specific constraints and necessary design layouts may make this unachievable in certain circumstances. A rigid requirement risks undermining design-led

¹⁰ Policy GG2

¹¹ Chapter 11 of the Framework

optimisation, contrary to the principles of the London Plan¹² and the Framework, and may further constrain the achievement of an appropriate housing mix and overall scheme viability.

- 1.56 The limitations associated with the rigid application of design guidance have been acknowledged within the GLA's *HfL* emergency measures (October 2025). These measures propose the removal of elements of guidance that restrict density and, in turn, impact viability.
- 1.57 They sit alongside broader Government planning reforms intended to increase London's housing delivery states that *"the rigid application of dual aspect requirements can reduce significantly the number of homes capable of being built within developments"* and that *"developers should be afforded flexibility in how they approach the design and mix of single and dual aspect dwellings to optimise site layouts"*¹³.
- 1.58 Through this package of emergency measures, the GLA is proposing to withdraw the relevant sections of the Housing Design Standards LPG and update guidance emphasising that developers should be afforded discretion in the application of London Plan Policy D6, so long as developments are able to demonstrate that dwellings have adequate passive ventilation, daylight and privacy, and avoidance of overheating.
- 1.59 Accordingly, Policy H11(2)(c) of Newham's draft Local Plan should be revised to ensure it is consistent with the London Plan and the emerging updates to London Plan Guidance by incorporating greater flexibility. It is recommended that the specific requirement for all 3+ bedroom homes to be dual aspect is removed, with policy focusing instead on maximising dual-aspect homes, wherever feasible.
- 1.60 In line with our above comments to Policy H11(2)(c) we would expect the same level of flexibility to be applied to Policy H11(2)(d) and the specific requirement for new housing to be designed to avoid single-aspect dwellinghouses, particularly where they are north facing.
- 1.61 Housing design quality must be considered holistically as part of the planning balance. St William supports the principle of securing high-quality living conditions; however, there may be circumstances where well-designed single-aspect dwellings make efficient use of constrained sites, improve layout efficiency, and support higher levels of affordable housing delivery without compromising residential quality.
- 1.62 Policy H11(2)(d) should therefore be revised to reduce single aspect-dwellings where possible, rather than prohibiting single aspect in all cases.

b) The requirement in part 2(e) for any ground floor private amenity space to be located away from street-facing facades.

- 1.63 Whilst the intent of Policy H11(2)(e) is broadly supported, the requirement is overly restrictive in the context of Newham's dense urban character and has the potential to undermine Policies GG2 and D3 of the London Plan by making the best use of land by following the design-led approach.

¹² Policy D3 of the London Plan (2021)

¹³ Homes for London (October 2025) – Paragraph 10a.

- 1.64 Many development sites within the borough have limited flexibility in their orientation or layout due to surrounding built form, street patterns, and site constraints. In these cases, it will not always be possible or desirable to locate private amenity spaces away from street frontages, and its approach is contrary to Policy D6 of the London Plan which expects the design of developments to maximise the useability of outside amenity space. The useability of amenity space is contextual and is not predicated on whether it has a street-facing façade.
- 1.65 Policy H11(2)(e) should be reworded to allow greater design flexibility, enabling high-quality street-facing private spaces to be provided where appropriate boundary treatments, landscaping, and design measures can be adopted that ensure privacy and mitigate other environmental impacts.

c) The requirements in part 5 for shared amenity spaces, including play provision, in major residential developments.

- 1.66 The objective of Policy H11(5) in seeking to ensure major residential developments incorporate shared amenity spaces that foster social interaction and a sense of community, is supported.
- 1.67 As set out in Matter 1, the cumulative policy requirements and lack of consideration of site-specific circumstances, particularly for former gasworks sites, mean that prescriptive policy standards such as Policy H11(5)(a), which mandates a fixed quantum of external communal amenity space risk undermining viability and deliverability.
- 1.68 St William prides itself on delivering high-quality developments, including well-designed open space and communal amenity areas. However, the provision of shared amenity space must be considered holistically, taking into account the full range of amenity spaces delivered on-site, the specific physical constraints of the site, and the overall quality and public benefits of the development.
- 1.69 In line with St William's representations at Regulation 19 stage, Policy H11(5)(a) should therefore be amended to introduce flexibility rather than imposing a rigid standard. Our proposed revision to Policy H11 is provided at Appendix 4.
- 1.70 St William supports the amendment made to Policy H11(5)(e) via the Regulation 22 Local Plan (SD005b) to clarify that on-site play provision should be made "*where development is likely to be used by children and young people*". This reflects London Plan Policy S4(B) which recognises that developments which are likely to be used by children and young people should make appropriate and adequate provision for their play and informal recreation needs.

d) The requirement in part 7 relating to the building regulation standards M4(2) accessible and adaptable dwellings and M4(3) wheelchair user dwellings.

- 1.71 Policy H11(7) (a-b) is consistent with London Plan Policy D7(A) which requires all new-build dwellings to meet M4(2) standards and at least 10% to meet M4(3) wheelchair user standards as set out in Building Regulations Part M. This approach is therefore supported.
- 1.72 The detailed sub-criteria in Policy H11(7)(c)(i-v) introduces design-level requirements that may not be achievable in all cases due to site constraints, building typology, or viability. These should therefore be applied flexibly and where feasible, to align with national and London Plan policy approaches.

- 1.73 This flexibility is already recognised within Policy H11(7)(c)(ii) regarding the provision of two lifts for upper-floor M4(3) dwellings. Similar wording should be extended to the remaining sub-criteria to ensure proportionality and deliverability, while maintaining the intent to secure high-quality, inclusive design.

Appendix 1 – The GLA Consultation to Newham Regulation 19 Local Plan

GREATER LONDON AUTHORITY

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Department: Planning

Date: 15 May 2025

Email: localplanprogrammeofficer@ealing.gov.uk

Dear Paige,

Re: Ealing Local Plan Examination. Consultation on the Inspectors' Matters, Issues and Questions.

Main Matter 4 – Housing

Thank you for inviting written statements in advance of the London Borough of Ealing's (LBE) Local Plan Examination in Public hearing sessions. In the Mayor's response to the Regulation 19 consultation in April 2024 he raised concerns regarding the proposed approach to affordable housing as set out in Policy HOU of the draft Local Plan (LBE Ref: S1).

In his earlier Regulation 18 consultation response in February 2023 (Our ref: LDF09/LDD16/LP01/HA01) the Mayor had raised the same concerns and was disappointed these had not been addressed to bring the draft Local Plan into closer alignment with the Spatial Development Strategy for London (referred to as the London Plan or LP2021).

As you will be aware, Development Plan Documents prepared by London boroughs must be in general conformity with the LP2021, in accordance with Section 24 of the Planning and Compulsory Purchase Act 2004 (as amended). The LP2021 was formally published on 2 March 2021, and forms part of LBE's Development Plan and contains the most up-to-date policies.

Since the Regulation 19 consultation LBE's policy on affordable housing has not changed. The Mayor considers that this remains a significant issue and that the draft Local Plan is not in general conformity with the LP2021.

A Statement of Common Ground agreed between the GLA and LBE (dated 28 February 2025) identified the GLA's position that draft Policy HOU is not in general conformity with the London Plan. The Mayor's approach reflects the more challenging market conditions that have arisen in recent years. All other draft policies were considered to be in general conformity by both the GLA and LBE.

It is noted that on 3 March 2025, LBE provided a response to the Planning Inspectorate regarding the general conformity issue raised by the GLA. The GLA have reviewed LBE's response and consider that this does not address the concerns previously set out in the GLA's

earlier written representations. This letter should be read alongside the Mayor's earlier consultation responses which continue to remain valid.

If there are further proposed modifications to the draft Local Plan and subsequent consultations in the future, the Mayor would review and provide his opinion on the general conformity of the draft Local Plan at that time.

Mayor of London Statement

Mayor's response to Matter 1 – Procedural and Legal Requirements

General conformity with the London Plan/ London Plan consistency

23. Overall, is the Plan in general conformity with the London Plan and how is that evidenced? Are any modifications necessary to address any inconformity?

In his response to LBE's Regulation 19 consultation in April 2024, the Mayor raised concerns regarding the proposed approach to affordable housing as set out in Policy HOU of the draft Local Plan made it clear that this was inconsistent with Policy H5 Part B (1) of the London Plan. In this respect, the draft Plan remains unchanged and fails to reflect Policy H5 of the LP2021 as it sets out a higher requirement of 40% affordable housing for sites on private, non-industrial land, compared with the 35% threshold for London Plan policy H5. GLA officers are of the opinion that modifications to the Policy HOU are necessary to address the inconformity identified, as set out below.

24. Is it clear how the individual policies of the Plan relate to those of the London Plan? Is there any duplication between the policies of the Plan and the London Plan in terms of their content?

The Mayor is concerned that Policy HOU(C) would result in an inconsistency with London Plan policy H5 if adopted in its current form. This would result in a lack of clarity for the development sector and land market and result in detrimental impacts on affordable housing delivery for the reasons considered in at paragraphs 3.5 to 3.8 of the Mayor's Accelerating Housing Delivery Planning and Housing Practice Note and as set out further below.¹

25. Where a policy proposes local variation to a London Plan policy, is modification needed to the policy number/reference to ensure that the variation and the original policy can be distinguished, for clarity and therefore effectiveness?

No comment.

Mayor's response to Matter 4 – Affordable Housing

In terms of Policy HOU:

- a) what is the background to the policy and the evidence justifying it, including specific detailed thresholds?**

¹ [Accelerating Housing Delivery - Planning and Housing Practice Note December 2024](#)

The Council relies upon an assessment of housing needs at borough level and an area-wide viability assessment to inform their affordable housing threshold for private non-industrial land. The Local Plan Viability Assessment (December 2023) forms part of LBE's evidence base.

However, GLA officers consider that Local Plan Viability Assessment does not provide sufficient viability evidence to support the higher 40% affordable housing threshold for private, non-industrial land sought by draft Policy HOU and the other variations to LP2021 policies H11, H15 and H16 which are linked to this.

The development typologies which form the basis of the viability testing in LBE's Local Plan Viability Assessment do not take account of the draft Local Plan's site allocations; and it is therefore unclear whether the study reliably shows the viability impact of emerging policies on the types of sites and types of development expected to come forward over the Plan period.

The development typologies utilised in a borough Local Plan viability study should be directly informed by the borough's emerging site allocations as these reflect the types of sites expected to come forward and play a significant contribution towards delivering the Plan.

A review of a borough's emerging site allocations would enable a quantity and density of development to be assumed for the development typologies, taking account of other emerging policies where necessary, and typical Existing Use Values that make-up the borough's land supply. A review of the recent planning applications that have been through the borough's development management process can also be helpful in understanding the types of sites likely to come forward, the form of development and general spatial development patterns and trends which can inform the development typologies forming the basis of the viability testing.

Therefore, the GLA considers that the proposed 40% threshold is not justified by viability evidence. This would result in applicants not being sufficiently incentivised to follow the London Plan Fast Track Route and the majority of schemes following the Viability Tested Route. This would slow down the planning process, less effectively embed affordable housing requirements in land values and be counter-productive to affordable housing delivery.

b) how does the policy support the delivery of the strategic target of 50 per cent of all new homes being genuinely affordable in Policies CG4 and H4 of the London Plan?

GLA officers do not object to the 50% strategic target set out in Policy HOU(A)(i), which is in line with Policy H4 and Policy GG4 of the LP2021. As set out above, the main concern is the higher affordable housing threshold for private, non-industrial land as set out in Policy HOU(C), which is inconsistent with the 35% affordable housing threshold set for private non-industrial land in Policy H5 Part B (1) of the London Plan. By setting the affordable housing requirement for private, non-industrial land at a higher level than the 35% threshold in London Plan policy H5, draft Policy HOU would put delivery of the strategic target at greater risk by resulting in a greater number of viability tested schemes that typically provide lower levels of affordable housing. This can also result in slowing down the planning process and require additional resourcing to assess the application.

c) is the interaction with Policy H5 of the London Plan clear in terms of setting out the instances where an affordable housing contribution will be sought?

Paying regard to Policy H5(B)(2) and (3) is modification needed to clarify the position in relation to public sector and industrial land?

London Plan Policy H5 Part A sets out that the threshold approach applies to major development proposals which trigger affordable housing requirements; and Part B sets out the different threshold levels of affordable housing which apply for private non-industrial land, public sector land (where there is no portfolio agreement with the Mayor) and industrial land (where there is a net loss in industrial capacity occurring through redevelopment). As currently drafted, the draft Policy HOU does not provide this level of clarity.

Draft Policy HOU (C) seeks to introduce a higher 40% affordable housing threshold for private non-industrial land in place of the London Plan's 35% affordable housing threshold set out in Policy H5 Part B (1). The GLA considers that the introduction of a higher 40% affordable housing threshold for private non-industrial land would be counter-productive, where not supported by robust viability evidence.

Draft Local Plan Policy HOU (C) states that:

"The Fast Track route, set out in Policy H5 B 1) of the London Plan, in Ealing will only apply to schemes providing at least 40% affordable housing and a tenure split of 70% social rent and 30% intermediate."

The GLA considers that there is a clear conflict between the draft Local Plan and how affordable housing contributions are sought in line with Policy H5 of the London Plan. Applications would need to provide a higher level of affordable housing to follow the Fast Track Route on private, non-industrial land. Those that provide between 35-39% affordable housing would be required to follow the Viability Tested Route. These would be subject to viability testing and late stage reviews. In practice, applicants may propose low levels of affordable housing. This is in line with monitoring undertaken by the GLA which shows that on average referable applications following the Viability Tested Route provide significantly less affordable housing than those that follow the Fast Track Route (see below).²

In line with London Plan Policy H5 Part B (2), a 50% affordable housing threshold should apply to public sector land (where there is no portfolio agreement with the Mayor); and in line with Part B (3), a 50% affordable housing threshold should apply to industrial land (where there is a net loss in industrial capacity occurring through redevelopment). It is recommended that these are set out within draft Policy HOU to provide greater clarity.

d) are the identified needs in Ealing referred to in HOU(A) clear? If identified needs are set out elsewhere in the evidence base and in guidance, should they be repeated in the Plan for effectiveness?

The GLA recognises that there are significant housing needs in Ealing and across London. It does not object to these being set out in the plan and supports the principle of securing the maximum viable level of affordable housing through the planning system. However, as set out

² [Affordable Housing in Planning Applications Referred to the Mayor 2011-2023](#) (2024)

above the GLA objects to the proposed 40% requirement as it conflicts with the threshold for private, non-industrial in London Plan policy H5, which has been proven to be effective in increasing affordable housing delivery in London.

e) does HOU(B) repeat the requirement in HOU(A) and, if so, why is HOU(B) necessary?

No comments.

f) are the expectations in terms of mix and tenure clear? Is the interaction with Policies H6 and H10 of the London Plan clear?

It is noted that the Council has secured more intermediate housing than low cost rented housing over the last five years (see Table 2 below). Notwithstanding this, the GLA has no objection to the proposed tenure split at 70% low cost rented housing at social rent and 30% intermediate housing, and the affordable housing tenure split aligns with Policy H6 of the London Plan. It is considered that this policy requirement as currently drafted is clear when read alongside Policy H6 of the London Plan.

g) are the requirements in HOU(C), including any variance to Policy H5(B)(1) of the London Plan, justified? Has the deliverability of adopting the thresholds been appropriately considered, including the applicability of the requirements to Build to Rent developments?

The GLA considers that the proposed variance in draft Policy HOU (C) to Policy H5(B)(1) of the London Plan has not been justified by robust viability evidence. As set out in the reasons above, LBE's Local Plan Viability Assessment (December 2023) does not provide an adequately robust evidence base to justify the setting of a higher 40% affordable housing threshold for private, non-industrial land.

The Local Plan Viability Assessment (LBE ref: EB120) that forms part of LBE's evidence base, makes the argument that Policy H5 of the LP2021 would result in schemes that could have potentially provided 40% only achieving 35%. However, Table 1 below indicates that on average, less than 30% affordable housing has been approved by the borough for every year over the period of 2019-24. This includes schemes on public and industrial land.

Year	Total Units	Open Market Units		Affordable Units	
		Units	%	Units	%
2019/20	4,815	3,424	71%	1,391	29%
2020/21	5,445	3,937	72%	1,508	28%
2021/22	4,883	3,478	71%	1,405	29%
2022/23	2,065	1,548	70%	517	23%
2023/24	2,226	1,649	74%	577	26%
Total	19,434	14,036	72%	5,398	28%

Table 1: Affordable housing level in residential approvals in Ealing, 2019-24 (source: Planning London Datahub)

The figures in Table 1 above have not taken into account the tenures of the affordable housing. Despite the current Local Plan policy of 60/40 in favour of low cost rented housing, the borough has secured a significantly higher amount of intermediate housing compared with low cost rent over the last five years:

Year	Total affordable units	Low cost rent		Intermediate	
		Units	%	Units	%
2019/20	1,391	361	26%	1,030	74%
2020/21	1,508	468	31%	1,040	69%
2021/22	1,405	405	29%	1,000	71%
2022/23	517	280	54%	237	46%
2023/24	577	308	53%	269	47%
Total	5,398	1,822	34%	3,576	66%

Table 2: Affordable housing tenure split in residential approvals in Ealing, 2019-24 (source: Planning London Datahub)

Table 2 shows that over the period of 2019-24, the borough has secured almost double the amount of intermediate units than low cost rent units, notwithstanding the 60/40 tenure split within the current Local Plan. If the affordable housing contributions in the approved schemes had been delivered in line with the tenure mix set out in the current Local Plan (or the proposed 70/30 split in the draft Local Plan), the overall affordable housing level secured would have been considerably lower, as low cost rented housing (e.g. social rent) is a more affordable tenure that attracts a lower sales value and requires a higher amount of development cross subsidy.

In terms of the Build to Rent policy in HOU (C), the GLA considers that the 35% threshold should apply to Build to Rent developments, in line with Policy H11 Part C and Policy H5 of the London Plan. GLA officers do not consider that the higher 40% affordable housing threshold for Build to Rent developments has been robustly supported by viability evidence.

LBE's Local Plan Viability Assessment (December 2023) models a 5% reduction to the GDV of the study's development typologies which is stated to account for the variation in viability profile between Build for Sale development and Build to Rent development. The assessment does not therefore adopt a more granular approach reviewing market rents, appropriate levels of OPEX and yields to determine the GDV of Build to Rent developments in LB Ealing. In addition, the development typologies used in the study do not appear to account for onsite resident

amenity provision which often serves to reduce the net to gross floorspace efficiency of Build to Rent developments.

GLA officers further note that the Local Plan Viability Assessment assumes that the 40% affordable housing provision would be delivered as Discount Market Rent at London Living Rent levels. It does not appear to be the case that conventional low cost rent in the form of social rent alongside intermediate tenures formed part of the Build to Rent viability testing.

It is noted that paragraph 6.26 of the Local Plan Viability Assessment states the following:

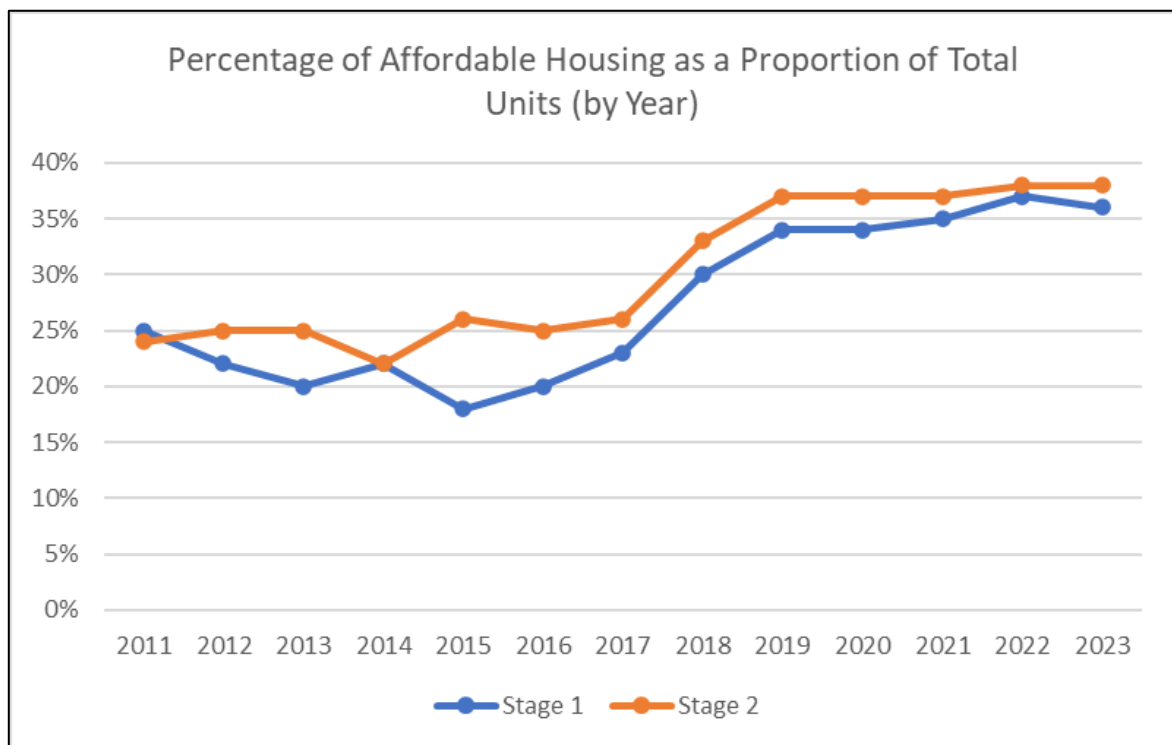
“Clearly there are differences in outcomes between build for sale and build for rent schemes, with the latter generating lower residual values and (in some cases) lower affordable housing levels as a consequence. There are many circumstances where 40% affordable housing is viable, but some schemes can only provide lower levels of affordable housing. The results indicate that some build to rent schemes will need to opt to use the viability-tested route and will not be able to utilise the 40% Fast Track route.”

Whilst draft Policy HOU (C) departs from Policy H11 Part C of the London Plan in respect to seeking an affordable housing tenure split of 70% social rent and 30% intermediate housing from Build to Rent developments, GLA officers do not consider that this represents a general conformity issue. Paragraph 4.11.10 of the supporting text to LP2021 Policy H11 is clear that where justified in a Development Plan, boroughs can require a proportion of social rent housing to be delivered as part of Build to Rent developments. It is considered that LBE’s Local Housing Needs Assessment (updated in 2022) and the pan-London strategic need for social rent provision supports the approach taken in the draft policy (subject to being amended to a 35% threshold). However, further viability evidence should be provided to support this approach.

h) how does the evidence demonstrate that the 40% threshold will be effective in maximising affordable housing provision in Ealing? What is the Council’s response to the GLA’s representation setting out their view on the differences in provision between schemes following the fast-track route versus viability tested schemes?

As set out above, the GLA considers that the 40% threshold would be less effective in maximising affordable housing provision in Ealing compared with the 35% threshold for private, non-industrial land in London Plan policy H5.

Graph 1 below shows that the level of affordable housing as a proportion of residential units in planning applications referred to the Mayor of London increased significantly following the introduction of the Threshold Approach in June 2017 through the Mayor’s Affordable Housing and Viability Supplementary Planning Guidance. This included the 35% threshold for private non-industrial land, which also then formed part of the London Plan (2021).



Graph 1: Affordable Housing as a Proportion of Total Residential Accommodation in planning applications referable to the Mayor (Source: Affordable Housing in Planning Applications Referred to the Mayor of London)

Given that the Mayor's Threshold Approach has helped to deliver more affordable housing, LBE have not justified in their submitted evidence why the new Local Plan should take a different approach to Policy H5 of the LP2021.

Analysis of the time between Stage 1 and Stage 2 Reports also indicates that the Threshold Approach has had a material impact on the time taken to determine planning applications, with Fast Track Schemes progressing to Stage 2 on average three months quicker than Viability Tested schemes between 2018 – 2023, and five months quicker in 2023.

Conversely, applications assessed under the Viability Tested Route schemes took on average a quarter of the time longer than Fast Track Route schemes to progress to Stage 2 and 40 per cent longer in 2023. This does not take into account further time savings at pre-application stage, pre-Stage 1, and post Stage 2.

Applying a 40% threshold to private sites reduces the incentive to follow the London Plan FTR by meeting the 35% threshold, because applicants would still be required to undertake viability testing and agree to additional review mechanisms by the borough if not providing 40%. This has the potential to undermine the Threshold Approach in the London Plan and the progress made in affordable housing delivery since its introduction which is of strategic concern to the Mayor, as set out in the GLA Accelerating Housing Delivery Planning and Housing Practice Note (December 2024).³

³ [Accelerating Housing Delivery - Planning and Housing Practice Note December 2024](#)

It is important to understand that the 35% threshold for private, non-industrial land does not represent a minimum target that needs to be achieved in order for development to be permissible: it is the threshold at which viability evidence is no longer required as part of residential planning applications. This is reflected in Policy H5(C)(4) of the LP2021 which makes it clear that in order to demonstrate that the Mayor's strategic 50% affordable housing target has been taken into account, FTR applications must demonstrate that they have sought grant to increase the level of affordable housing above the thresholds. Residential development following the FTR can still achieve figures of affordable housing above the threshold level.

Based on the evidence above, the GLA considers that the proposed 40% affordable housing threshold would result in a higher number of planning applications following the VTR when compared with the London Plan position. This approach will effectively slow down the planning process and fails to provide certainty to developers when acquiring land due to a lack of consistency in affordable housing provision from site to site. Rather than factoring in affordable housing at the levels set out in the development plan when purchasing land as required by national planning guidance⁴, developers are more likely to take into account typical affordable housing levels agreed on other sites, resulting in the potential for land overpayments and disputes through the viability process.

i) in light of the stipulation in HOU(D) that provision should normally be made on site, is the Plan sufficiently clear on what would happen if a case was successfully made for off-site provision?

The GLA does not object to the principle of HOU(D), in terms of the prioritisation in securing on-site affordable housing.

This is in line with LP2021 Policy H4 B and paragraphs 4.4.9-4.4.13 which also sets out criteria for considering off-site provision in exceptional circumstances.

In addition, it is noted that paragraph 5.19 of the supporting text for Draft Policy HOU states that: *"Offsite provision will be acceptable only in limited circumstances where it best meets the requirement to deliver against identified needs, for example where smaller schemes would result in delivery of a small number of units that are unattractive to registered providers."*

However, GLA officers consider that it is not sufficiently clear what would happen in circumstances where an application proposes an off-site affordable housing provision. Paragraph 4.5.15 of the supporting text of Policy H5 of the LP2021 sets out that applications which propose affordable housing off-site or as a cash in lieu contribution must follow the Viability Tested Route. It is therefore considered that amendments to draft Policy HOU should be made to reflect this position and to ensure clarity.

j) are the requirements in HOU(E) in relation to large scale purpose built shared living developments justified? Is a contribution in the form of conventional housing units on site deliverable in practice?

London Plan Policy H16 seeks financial contributions for affordable housing from large scale purpose built shared living developments, because it does not meet minimum housing space

⁴ PPG Viability Paragraph: 014 Reference ID: 10-014-20190509

standards. However, the GLA acknowledges that LBE wishes to secure conventional C3 use affordable housing units onsite reflecting the significant need for affordable housing in the borough. This approach is in line with paragraph A.2.5.3 in the Draft Affordable Housing London Plan Guidance, and GLA officers consider that the LBE's Local Housing Needs Assessment (updated in November 2022) provides sufficient justification for this approach. Therefore the GLA does not raise a general conformity objection to this element of the draft policy.

In light of the habitable room size differential between LBSL (Sui Generis use) and conventional C3 Use at an appropriate unit type mix, it is considered that the affordable housing provision of such schemes should be measured on a floorspace basis rather than by habitable room.

GLA officers however do not consider that an onsite 40% affordable housing requirement for LBSL schemes on private non-industrial land is supported by viability evidence. It appears to be the case that LBE's Local Plan Viability Assessment (December 2023) only modelled a single LBSL (co-living) development typology comprising 200 units, and this did not include any onsite C3 Use affordable housing. Further viability evidence is required to support this approach.

k) are the requirements in HOU(F) in relation to purpose-built student accommodation (PBSA) including any variance to Policy H15(4) of the London Plan justified? Has the deliverability of adopting the threshold been appropriately considered?

Draft Policy HOU (F) seeks 40% affordable student accommodation from PBSA developments to follow the Fast Track Route. This represents a departure from Policy H15 Part A (4) and Policy H5 of the London Plan. Draft Policy HOU (F) as currently drafted is not clear whether the 40% affordable student accommodation requirement applies to private non-industrial land only, and whether 50% affordable student accommodation remains the requirement for public and industrial land in line with the London Plan.

GLA officers do not consider that viability evidence has been provided to support the adoption of the 40% affordable student accommodation requirement on private non-industrial land. A review of LBE's Local Plan Viability Assessment (December 2023) appears to indicate that no PBSA development typologies were tested as part of the viability study. Further viability evidence is required to support this approach.

l) are the first two paragraphs of 5.22 detailing how applications for PBSA will be treated reflected in policy? If not, is modification needed to remove the text for clarity?

As per response in k) above, the GLA considers that in the absence of robust supporting viability evidence, the threshold for PBSA schemes should be 35% rather than 40%, and 50% on public and industrial land and therefore, the last sentence in paragraph 5.22 should be modified to reflect this position.

m) is the policy in general conformity with the London Plan?

As set out in the reasons above, Policy HOU is not in general conformity with the London Plan.

n) are any other modifications needed to Policy HOU for soundness?

Yes, the policy should be modified to further align with London Plan policies, particularly H5, H11 and H15, in regard to the relevant thresholds for affordable housing to incentivise delivery of affordable housing through the Fast Track Route across the Borough.

Conclusion

Without necessary amendments to Policy HOU as discussed above and as currently written, the draft Plan continues to not be in general conformity with the London Plan 2021.

London Plan Policy H5 sets out the Mayor's Threshold Approach to affordable housing delivery and seeks to reduce the circumstances where viability evidence is required as part of residential planning proposals, incentivising developers to achieve at least the minimum level of affordable housing to qualify for the Fast Track Route (FTR). These have helped to embed affordable housing requirements into land values, creating greater certainty and consistency across London, while also speeding up the planning process.

GLA officers will continue to offer their support to assist the Examination process. I hope this statement will help inform the Examination of LBE's Local Plan. If you have any questions in relation to this Statement, please contact David Nip at david.nip@london.gov.uk

Yours sincerely



Lucinda Turner

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Cc: Andrew Boff, Chair of London Assembly Planning Committee
Bassam Mahfouz, London Assembly Member for Ealing and Hillingdon
National Planning Casework Unit, MHCLG

Appendix 2 – Proposed revisions to Policy H3

H3: Affordable housing

1. Newham's policy priority is the provision of more social rent homes. New residential developments on individual sites with the capacity to deliver ten dwellinghouses (C3) or more should provide 50 per cent of the total residential units follow the London Plan fast-track route.

1.2. The preferred affordable tenure mix is set at 70 per cent social rent housing and 30 per cent intermediate housing based on the of the total number of affordable habitable rooms residential units as affordable home ownership intermediate housing.
Developments that do not meet these requirements and the delivery of the required level of family dwellinghouses (C3) under Local Plan Policy H4.2 will be required to follow the viability tested route, and -must be not be supported unless accompanied by a detailed financial viability assessment, demonstrating that the maximum viable level of affordable housing mix will be delivered. Equal weight will be applied to affordable housing delivered via the viability tested route and the fast-track route.

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2.3. New residential developments with the capacity to deliver ten dwellinghouses (C3) or more should provide affordable housing on site. Where the Council considers that on site provision is inappropriate or undeliverable due to site conditions or the scale of the site, the applicant should:

- a. prioritise off site provision of affordable housing with the equivalent quantity, tenure and size mix required under part 1; or
- b. where off site provision of affordable housing is not deliverable, a payment in lieu of affordable housing may be accepted. The payment in lieu should result in the an equivalent ability to secure a higher level of affordable housing provision than the 60 per cent strategic target as sought by part 1 above; and
- c. where applicants are proposing to not meet the requirements of parts 2.a or 2.b, this will not be supported unless an application is accompanied by a detailed financial viability assessment, demonstrating that the maximum viable amount will be delivered.

3.4. New residential developments which seek to provide additional residential units through the extension of an existing development on the same or an adjoining site (where the extension is reliant on the existing permission or development to function or to meet policy requirements or standards required elsewhere in the plan), will be assessed against the requirements of Local Plan Policy H3 based on the combined number of residential units of both the existing site and the proposed new residential units.

Appendix 3 – Proposed revisions to Policy H4

H4: Housing mix

1. All new residential developments should deliver a mix and balance of residential types and sizes. The appropriate mix of residential sizes, types and tenures will be determined through:
 - a. the need to secure mixed and inclusive communities; and
 - b. evidence of housing need as set out in Newham's latest Strategic Housing Market Assessment **and in the Gypsy and Traveller Accommodation Assessment**; and
 - c. development viability; and
 - d. the existing and pipeline mix of residential units in the area; and
 - e. the individual circumstances of the site in terms of site conditions, local context and site features, particularly on sites delivering below ten dwellinghouses (C3).
2. New residential developments on individual sites with the capacity to deliver ten dwellinghouses (C3) or more should optimise the deliver 40 per cent of the number of new residential units as family dwellinghouses (C3) with three or more bedrooms. Developments that do not meet these requirements on site and the delivery of the required level of affordable housing under Local Plan Policy H3.1 will not be supported unless accompanied by a detailed financial viability assessment, demonstrating that the maximum viable mix will be delivered.
- ~~3. New residential developments on site allocations should provide a minimum of five per cent of the proposed residential units as four or more bed affordable family dwellinghouses (C3).~~
- ~~4.3.~~ New residential developments on individual sites with the capacity to deliver ten dwellinghouses (C3) or more should deliver no more than 2015 per cent of the number of new residential units as studio and/or one bedroom, two person dwellinghouses (C3). Greater flexibility shall be applied where individual sites are located within town centres or other highly sustainable and connected locations.
- ~~5. New residential developments on individual sites with the capacity to deliver ten dwellinghouses (C3) or more should deliver no more than 5 per cent of the number of new residential units as studio or one bedroom, one person dwellinghouses (C3).~~
- ~~6.4.~~ In exceptional circumstances, a portfolio approach to the delivery of affordable housing and/or family dwellinghouses (C3) may be accepted, subject to developments not resulting in an unacceptable impact on the mix and balance of residential types and sizes in an area. Developments within a portfolio delivering additional affordable housing and/or family dwellinghouses (C3) should be located in Newham, and completed and ready for occupation prior to the developments within the portfolio that deliver affordable housing and/or family dwellinghouses (C3). below the policy target set out in H3.1 and H4.2.

Appendix 4 – Proposed revisions to Policy H11

H11: Housing design quality

1. All new residential development should be designed to:
 - a. locate building structural elements to enable internal reconfiguration and minimise irregular geometry that limits reconfiguration of internal layouts; and
 - b. promote health and wellbeing of residents by providing good living and environmental conditions including high levels of natural daylight, sunlight, natural ventilation and individual climate controls, by maximising internal levels of daylight through orientation, articulation and incorporation of breaks in massing.
2. All new general needs housing should be designed to:
 - a. meet the internal space standards of the London Plan 2021 as a minimum, as well as provide adequate external private outdoor space (as set out in London Plan Guidance or subsequent updates); and
 - b. minimise the number of private outdoor amenity spaces accessed from bedrooms; and
 - c. ensure the number of dual-aspect dwellings are maximised, ~~including all three or more bedroom dwellinghouses (C3) which must be dual-aspect~~; and
 - d. ~~minimise the number of~~ avoid single-aspect dwellinghouses (C3), particularly where these are north-facing; and
 - e. **provide an adequate boundary treatment to ground floor street-facing amenity space and minimise the arrangement of ~~locate any~~ ground floor private amenity spaces in proximity to ~~away from~~ roads that are a source of significant noise, air quality or visual impacts.** ~~street-facing facades.~~
3. New developments of specialist and supported housing or residential other than general needs housing should have evidenced regard to the following applicable quality design standards:
 - a. Specialist and supported housing providing care should have evidenced regard to:
 - i. Care Quality Commission criteria or any subsequent updates or replacements where relevant; and/or
 - ii. HAPPI principles where housing is designed for older people; and
 - iii. meeting a Setting the Standard Temporary Accommodation Inspection Service Ranking of Grades A, B or C, where the housing will provide temporary accommodation; and
 - iv. the Council's Housing Support Approved Accommodation Standards or any subsequent updates or replacements where relevant; and
 - v. providing sufficient space for care workers to undertake personal care in the bathroom and main bedroom, where relevant; and
 - vi. supporting the ability to install telecare if required in the future.
 - b. Specialist housing for older people should provide:
 - i. ten per cent of private rooms as wheelchair adapted rooms, including access to a wheelchair-accessible wet room and in line with best practice guidance; and
 - ii. sufficient storage space and charging facilities for residents' mobility scooters; and
 - iii. pick up and drop off facilities, close to the principal entrance, suitable for taxis (with appropriate kerbs), minibuses and ambulances.
 - c. In addition, extra care housing for older people should provide:
 - i. bedrooms that are at least 12m²; and
 - ii. living areas at least 20m² in size; and

- iii. enough space for residents to move around comfortably and accommodate their belongings; and
- iv. a layout that is easy to navigate; and
- v. a variety of communal spaces for residents to socialise and relax.
- d. In addition, older persons' care homes should incorporate dementia friendly design.
- e. Purpose-built student accommodation should provide **accessible student accommodation in accordance with the requirements of 'Box 3: Accessible Student Accommodation Standards' set out in the London Plan Guidance: Purpose-built Student Accommodation (October 2024)**. either:
 - i. ~~ten per cent of new bedrooms to be wheelchair accessible in accordance with Figure 52 incorporating either Figure 30 or 33 of British Standard BS8300-2:2018 Design of an accessible and inclusive built environment. Buildings – Code of practice; or~~
 - ii. ~~15 per cent of new bedrooms to be accessible rooms in accordance with the requirements of 19.2.1.2 of British Standard BS8300-2:2018 Design of an accessible and inclusive built environment. Buildings – Code of practice.~~
- f. Houses in multiple occupation and large-scale purpose-built shared living should:
 - i. have evidenced regard to Newham and Pan-London Private Sector Rental Licensing benchmark criteria; and
 - ii. ensure all private rooms, internal kitchen and communal facilities have openable windows to allow for adequate access to daylight, sunlight and ventilation in habitable spaces; and
 - iii. provide a minimum of 1m² built in storage per resident in either private rooms or communal areas; and
 - iv. provide internal communal space arranged so as to provide sufficient and convenient access for all residents. Internal communal space should meet or exceed the following standards:

Up to 100 residents	4m² per resident
Between 101 and 400 residents	3m² per additional resident above 100 residents
Additional residents above 400 residents	2m² per additional resident above 400 residents

- g. In addition, large-scale purpose-built shared living should provide:

Up to 100 residents	4m² per resident
Between 101 and 400 residents	3m² per additional resident above 100 residents
Additional residents above 400 residents	2m² per additional resident above 400 residents

- i. communal kitchens on every floor, with any alternate arrangements required to demonstrate convenient access for residents; and
 - ii. ten per cent of private rooms as wheelchair adapted rooms in line with best practice guidance; and
 - iii. private rooms of between 18-27m² and wheelchair adapted rooms between 28m²-37m².
- 4. Development referable to the Mayor of London should design a proportion of social rent rooms in accordance with the recommendations of Newham's forthcoming 'Housing design needs study' guidance.

5. Major residential developments should incorporate shared amenity spaces that foster social interaction and a sense of community. External communal amenity spaces should be designed to:
 - a. provide 50m² for the first ten residential units or private rooms (if not self-contained) and 1m² for each additional residential unit or private room (if not self-contained); and
 - b. provide overlooked, attractive, landscaped spaces easily accessible to all residents. Direct access should be provided where possible between the communal courtyards and adjacent private terraces; and
 - c. offer spaces with a variety of functions; and
 - d. avoid external spaces that face onto major roads with higher levels of noise and air pollution; and
 - e. **where the development is likely to be used by children and young people**, provide onsite play provision in accordance with both the requirements of London Plan 2021 Policy S4 and Local Plan Policies GWS5 and, where relevant, D2. Off-site play space will only be supported in exceptional circumstances where it can be demonstrated that it would lead to the provision of facilities, accessible to the development site, which are of greater quality and quantity than can be provided onsite.
6. Developments which include affordable housing should ensure:
 - a. affordable housing is of an equivalent quality to private residential units in terms of its location, orientation, proportion, external appearance, communal entrances and amenity areas, without resulting in a significant increase in the cost of tenants of affordable housing's service charges.
 - b. access to any on-site services and facilities are provided via a membership model, available to all residents at a comparable cost to other Newham-run and private facilities in the locality.
7. All new residential developments should:
 - a. meet requirement M4[2] of Building Regulations Approved Document M (for 'accessible and adaptable dwellings') as a minimum and ten per cent of residential dwellings in new residential developments should meet the enhanced requirement M4[3] of Building Regulations Approved Document M (for 'wheelchair user dwellings'); and
 - b. where they are delivering social rented homes that are wheelchair user dwellings, design these dwellings to meet Building Regulation M4[3](2)(b) standard (wheelchair accessible dwellings); and
 - c. where they are delivering affordable wheelchair user dwellings (Part M4[3]), be designed to provide:
 - i. affordable wheelchair user dwellings (Part M4[3]) that are a mix of dwelling sizes and all such dwellings contain only double and not single bedrooms; and
 - ii. where feasible, two lifts, where such dwellings are provided on upper floors; and
 - iii. a layout that allows sufficient room for turning circles within the dwellings and in communal areas when furniture layouts are taken into consideration; and
 - iv. a layout that avoids long corridors with unpowered heavy communal doors; and

