

Public Examination of the Development Management Local Plan

London Borough of Lewisham response to the Inspector's initial query regarding DM32: Housing design, layout and space standards

Taking on board the Council's responses to DMrep6 and its proposed potential modification (SM2), could the policy commence (via an appropriate MM):

"The Council expects all new residential development to (a) be attractive and neighbourly, (b) provide a satisfactory level of privacy, outlook and natural lighting both for its future residents and its neighbours and (c) meet the functional requirements of future residents."

As explained in relation to DM27, part 3 of the policy should not attempt to import non-statutory guidance into the policy in this way. However, these documents can be referred to in the text as non-statutory guidance. The same applies to the London Plan SPD referred to twice in part 4.

Does DM32 4e conflict with the London Plan? The two plan use different words: is their meaning materially different? If they have materially the same meaning why not use the same words in the interests of clarity? Do SM9&10 achieve this?

The Council also accepts the need for a change in wording (SM13) from 'may' to 'will' in para 2.267. This could be an appropriate editorial OM change.

The Council also accepts the need for a change in wording (SM14) to correct a drafting error in para 2.258. This could be an appropriate editorial OM change.

The Council also accepts the need for a change in wording in para 2.259 concerning direct sunlight (SM15). This could be an appropriate OM change.

The Council also accepts the need for an insertion in the glossary of a definition of the term 'north-facing' (SM16). This could be an appropriate OM change.

(Note a complete list of all the Inspector's initial questions are on the Examination website and can be accessed via the following link:

<http://www.lewisham.gov.uk/myservices/planning/policy/LDF/development-policies/Documents/DMLPInitialQueries.pdf>)

Planning Policy – 13 January 2014

Council response

1. **Inspector's initial concerns and queries about DM Policy 32**
- 1.1 With respect to the Inspector's first point concerning the introduction to the policy' the Inspector's suggestions are noted. The Council considers the policy could be amended in accordance with the suggestions.
- 1.2 In respect of Part 3 of the Policy the Council suggests that it could be deleted and an additional point (e) could be added to point 2. The amended policy would appear as follows (including the Council's suggested modifications SM9 and 10):

DM Policy 32

Housing design, layout and space standards

Siting and layout of development

1. **The Council expects all new residential development to**
 - a. **be attractive and neighbourly**
 - b. **provide a satisfactory level of privacy, outlook and natural lighting both for its future residents and its neighbours and**
 - c. **meet the functional requirements of future residents**
2. The siting and layout of new-build housing development, including the housing element of mixed use developments, will need to respond positively to the site specific constraints and opportunities as well as to the existing and emerging context for the site and surrounding areas.
3. New-build housing development will be required to be:
 - a. sited to minimise disturbance from incompatible uses and be well located in relation to public transport with a high quality pedestrian environment. Table 2.2 Sustainable Residential Quality Matrix will be used to aid assessment of the appropriate density of development in relation to public transport accessibility and character areas
 - b. provided with a readily accessible, secure, private and usable external space and include space suitable for children's play
 - c. designed so that schemes in mixed tenure do not distinguish between public and private housing provision either in terms of quality of materials and design, or in level of amenities
 - d. designed to be safe and secure and reduce crime and the fear of crime
 - e. **designed to ensure that internal layout and external design features ensure that housing is accessible to all intended users.**
- ~~3. The South East London Housing Partnership Wheelchair Homes Design Guidelines (or as subsequently amended) will be used to assess whether new build housing schemes meet Lifetime Homes and Wheelchair Housing Standards both in terms of their internal layout and the external design features needed to ensure houses are accessible to their users.~~

Internal Standards

4. The standards in the London Plan ~~and the London Plan Housing Supplementary Planning Guidance (2012)~~ will be used to assess whether new housing development provides an appropriate level of residential quality and amenity. This will involve an assessment of whether the proposals provide accommodation that meet the following criteria:

- (a) Meet the minimum space standards for new development which should conform with the standards in the London Plan ~~and the London Plan Supplementary Planning Guidance on Housing (as updated)~~.
- (b) Habitable rooms and kitchens and bathrooms are required to have a minimum floor height of 2.5 metres, between finished floor level and finished ceiling level. Space that does not meet this standard will not count towards meeting the internal floor area standards.
- (c) Provide accommodation of a good size, a good outlook, with acceptable shape and layout of rooms, with main habitable rooms receiving direct sunlight and daylight, and adequate privacy. There will be a presumption that residential units provided should be dual aspect. Any single aspect dwellings provided will require a detailed justification as to why a dual aspect dwelling is not possible and a detailed demonstration that adequate light and ventilation can be achieved. North facing single aspect flats will not be supported.
- (d) Family housing (dwellings with three or more bedrooms) should be designed to have the potential to separate dining and living accommodation from the kitchen area in order to ensure privacy for the occupants
- (e) ~~Studio flats (one person dwellings at GIA 37 sq. m.)~~ **Single person dwellings** will not be supported other than in exceptional circumstances. Developments will be required to have an exceptional design quality and be in highly accessible locations ~~in the major and district town centres~~
- (f) Include sufficient storage space for storage and utility purposes in addition to the minimum space standards.

1.3 The Inspector requests the Council to consider whether point 4e of Policy DM32 conflicts with the London Plan. One of the objectors noted above (Berkeley Homes) states that point (e) is in conflict with para. 3.36 of the London Plan.

1.4 Para 3.36 is found in the justificatory text to London Plan Policy 3.5 Quality and Design of Housing Developments. The last sentence of this paragraph states that:
'Single person dwellings may be permitted if the development proposal is demonstrated to be of exemplary design and contributes to the achievement of other objectives and policies of this Plan.'

- 1.5 The Council considers the wording used in Clause (e) changes the emphasis of this piece of justificatory text in the London Plan. The emphasis has been changed to underline the Council's wish to ensure that flats provided of this type should be of exceptional (or exemplary), design quality. The exceptional circumstances are set out in the paragraph. These are in line with the London Plan.
- 1.6 Clause (e) also refers to the need for them to be in 'highly accessible locations'. This will contribute to the achievement of other objectives and policies of the London Plan (as noted in London Plan para. 3.36), and in particular policy 3.4 Optimising Housing Potential which in para 3.29 (justificatory text) states that:
'The form of housing output should be determined primarily by an assessment of housing requirements and not by assumptions as to the built form of the development. While there is usually scope to provide a mix of dwelling types in different locations, high density provision for smaller households should be focused on areas with good public transport accessibility (measured by Public transport Accessibility Levels (PTALs), and lower density development is generally most appropriate for family housing.'
- 1.7 Single person dwellings are the smallest form of dwelling provision and could attain a high density. Provision of this type of dwellings should therefore be in areas of high public transport accessibility.'
- 1.8 The Council considers that the second requirement of point (e) of the policy is in line with the London Plan.
- 1.9 The Council notes the Inspector's view that SMs 13 to 16 could provide appropriate OMs.