

PLANNING SERVICES

**TOWN & COUNTRY PLANNING (DETERMINATION BY INSPECTORS)
(INQUIRIES PROCEDURE) (ENGLAND) RULES 2000**

PROOF OF EVIDENCE

Carolyn Whittaker BSC Urban Land Economics

**FOR PUBLIC INQUIRY COMMENCING ON
15th January 2019**

APPEAL SITE

Gondar Gardens Reservoir, Gondar Gardens, NW6 1QF

APPELLANT

Life Care Residences

SUBJECT OF APPEAL

Appeal Statement in Support of the Council's decision to refuse planning permission (ref: 2017/6045/P) on 30th of January 2018 for:

"Partial demolition of the existing reservoir, including the roof and most of the internal structure, and the erection of six 4-6 storey buildings and four 2-3 storey link buildings with common basement levels within the retaining walls of the existing reservoir to include 82 Self-contained extra care apartments (class C2); a 15 bed nursing home (Class C2). Associated communal facilities including reception area, guest suite, lounge, restaurant, café, bar, library, exercise pool, gym, therapy rooms and cinema; Associated support facilities including staff offices, welfare and training spaces, storage, laundry, kitchen, cycle storage, car parking and plant areas and a site-wide biodiversity-led landscaping and planting scheme including external amenity space, drop off area, retention pond and slope stabilization and associated engineering works".

COUNCIL REFERENCE: 2017/6045/P

PLANNING INSPECTORATE REFERENCE: APP/X5210/W/18/3198746

INTRODUCTION

- i. I, Carolyn Whittaker, have prepared the following statement in support of the Council case and for presentation at the Public Inquiry into the appeal. I hold a Bachelor of Science degree in Urban Land Economics from Sheffield Hallam University and completed the professional examinations of the Institute of Housing.
- ii. I have thirty years of experience working in the Affordable Housing sector. Fifteen years were spent working for Registered Providers in a number of housing management roles including team leader. Five years were spent as a senior policy advisor to the Housing Management Directorate at the London Borough of Islington. For the last ten years I have been employed as an Affordable Housing Development Coordinator by the London Borough of Camden.
- iii. My experience of working in the Registered Provider sector in addition to the experience I have gained in my current position make me well placed to provide evidence to assist with this inquiry. This statement of evidence gives my professional view on the issues relating to the provision of on-site affordable housing as part of the appeal scheme arising from the following reasons for refusal for 2017/6045/P:

Reason 3

Affordable Housing

'The proposed development, without the provision of affordable housing, would fail to maximise the contribution of the site to the supply of affordable housing in the borough, contrary to policy H4 (Maximising the supply of affordable housing) of the London Borough of Camden Local Plan 2017, policy 3.12 of the London Plan 2016 and Policy 1 of the Fortune Green and West Hampstead Neighbourhood Plan 2015.

- iv. The statement that I have provided for this appeal is accurate to the best of my ability and I confirm that any professional opinions expressed are my own.

1 RELEVANT LEGISLATION, POLICY AND GUIDANCE

- 1.1 The Council's delegated report and Statement of Case, sets out the relevant Development Plan policies.

2 ASSESSMENT OF THE PROPOSALS

- 2.1 In this statement, I set out my views on the appellants proposed lack of provision of Affordable Housing on the Gondar Gardens Reservoir site.
- 2.2 I have read the proofs of my colleagues, John Diver (LB Camden) and Andrew Jones (BPS) and agree with their findings that the scheme triggers an expectation for the delivery of a maximum the contribution of the site to the supply of affordable housing in the borough. I also agree that insufficient evidence has been presented for the Council to accept that in this instance, this represents a nil onsite offer and a financial payment well below a policy compliant contribution because of viability.
- 2.3 In support of these proofs of evidence I intend to outline how, in my professional opinion, there exists no inherent barriers to the delivery of on- site affordable housing with the scheme. Conversely, I suggest that such provision could be achieved with only minor revisions; and that responses received from Registered Providers suggest that they also see no inherent issues arising from managing and maintaining such units.

Affordable Housing Need

- 2.4 The appellant has maintained that it is not feasible for any Affordable Housing to be delivered on this site and, I together with the two Registered Providers, refute this position that the appellant has adopted as discussed in the subsequent section. As will be discussed, this assertion has subsequently disabled any dialogue about the type of Affordable Housing required to meet the Housing Needs in the borough. Such discussions would be welcomed.
- 2.5 Mr Diver, in his proof, has discussed how self-contained housing remains the priority land use in the Borough and how the need for affordable housing is so acute that the adopted affordable housing targets could not viably expect to meet the demand in full within the plan period. I agree with his comments that, as a result, the need to fully maximise opportunities for the delivery of affordable housing on all large development sites is therefore absolutely vital. The urgent demand for affordable housing stock

exists at present and is not only based upon future projected needs. The most urgent need is for family sized accommodation, though affordable tenure of all types remains in demand. There are currently 5,577 households registered for housing on the council Housing needs register. Of these, 1,608 households have a three-bed assessed need under the council's Allocations Scheme. In 2017/18, there were only 150 three-bed social housing homes available to families awaiting accommodation, either via new build delivery or relets of existing vacant units. The average waiting times for the households to which these units were let was 5.8 years.

- 2.6 In setting out the Council's expectations for the mix of affordable types, Local Plan Policy H4 would seek 60% of the affordable homes delivered to be for General Needs housing (social rent) and 40% Intermediate Rent [with a preference for London Affordable]. Policy H4 does however allow for some flexibility when considering specialist forms of housing.
- 2.7 Of the 60% General Needs affordable target, we would seek half of these units to be for 3 bedroom units or larger. For the example 22 unit offer outlined in appendix one, this would therefore equate to an expectation for a minimum of 13 units to be secured as social rent units, of which 7 should be three bedroom Affordable Homes. Taken in the context of the whole development, this represents a minor proportion of the overall proposed scheme.
- 2.8 The remaining 40% of requirement is for Intermediate Housing which is typically sought by people either living or working in the borough in the education, health or knowledge sectors, and is restricted to either studio, one bedroom or two bedroom units. There is also an unmet need in the borough for this type of accommodation with approximately 2800 registered with the council's Intermediate Housing register.
- 2.9 In light of the above, I agree with the findings of Mr Diver that, whilst the scheme would deliver housing for older people for which there is an accepted need, the nil on site affordable offer would fail to address the more pressing need for the delivery of affordable homes. In the absence of convincing justification both in terms of practicality and viability (as outlined by Mr Jones), I agree that this remains wholly unacceptable.

Practical feasibility for onsite affordable housing

- 2.10 I consider that the appeal scheme could have been designed in such a way that Affordable Housing could be delivered on-site. Given the site's frontage to the street

and in light of previous permissions, the site has previously been shown to be able to support onsite affordable and I see inadequate evidence to justify why this could not be the case for the appeal scheme. I presented two Registered Providers (RPs) with plans of the appeal scheme, marked up to suggest a design option to include on site affordable that would amount to no more than minor amendments. Full details are provided in appendix one and two.

- 2.11 These minor design changes would enable affordable housing to be delivered on the frontage of the site in separate blocks. This separation of cores, would enable both the management and service charges to be entirely the responsibility of a Registered Provider. This would enable the units to be easily transferred and managed by a registered provider, and the suggested approach could provide up to 22 affordable units on-site; although other design options would be welcomed for consideration.
- 2.12 To test whether those parties whom may be ultimately responsible for managing and maintain such units shared my position, I have held two separate meetings with Development Managers at Origin Homes on 31 October, and Newlon Housing Trust on 8th November. These are both Registered Provided who are included within the Council's adopted list of RPs and who collectively manage many properties within the Borough. Both organisations have reviewed the plans and wholly agree that with minor changes, the affordable provision could be designed into the scheme, and furthermore see no conflict with the appellant's proposed specialist, private residential use for the remainder of the site. They confirm that they would welcome such an offer. Submissions from Origin Housing and Newlon Housing Trust sent to the Council subsequent to these meetings are also appended to this statement in appendix one.
- 2.13 The letters of support received from both RPs approached supports the Council's position that the provision of on site affordable housing would remain feasible on the site, even under a scheme of specialist housing. In the preparation of this evidence, it is intended purely to demonstrate that such provision appears feasible, contrary to the appellants statement of case. Had the appellants been amicable to fully consider such provision, discussions could have been held to help refine this offer flexibly to be best suited to the scheme in terms of tenure types, units mixes, block separations etc.

Service Charges

- 2.14 I note that the appellants, within their statement of case, are of the view that the cost of providing high end facilities and services to private residents would preclude onsite

provision due to the resulting high service charges. In response to this point, I would note that it is standard practice for Registered Provider's to endeavour keep the service charges for their residents to a minimum. There would therefore be no desire or need to buy into the wider range of services that are proposed for the private residents, and affordable tenant would still have access to many comparable services in the local area by choice. There are many examples of new developments across the borough where private residents are provided with additional services, for example concierge facilities, which the affordable housing residents neither desire nor have access to. The recently completed Camden Courtyards scheme at the 79 Camden Road site is one such example.

Conflict of demographic

- 2.15 I would also refute any suggestion that there may be a conflict of between the on-site Affordable Housing and the appellant proposed use. In a borough such as Camden there are many examples where high end luxury homes sit 'cheek and jowl' on sites that also deliver the required on-site affordable housing as part of the planning obligations. With good design enabling the affordable housing to be separated as suggested in this case, there is no justification why the appellant should anticipate that the sales values of the private provision would be impacted to such a degree so as to harm the overall viability of the scheme due to a depreciation of sales values. As an example, the Rosebery Mansions extra care scheme was completed on the regenerated Kings Cross site in 2013. This provision is immediately flanked by both private provision and Affordable homes for Camden families which provides for a well balanced, mixed and sustainable community.

3 SUMMARY

- 3.1 I therefore conclude that given the evidence submitted by the two Registered Providers, both of which refute any case of unsuitability of affordable housing on this site; I consider the appeal scheme to be unacceptable, and suggest that no robust justification has been provided by the appellant to exclude on-site provision, and that I have demonstrated an unmet need for Affordable Housing in the borough.