

Hammersmith and Fulham Council

DEVELOPERS SUMMIT: UPDATE ON COUNCIL PLANNING POLICIES

In the presentation we said that some UDP policies would be expiring on 27 September but at the time of the Summit we still had not had confirmation from the government about which policies would be saved and which ones would not be saved.

The government has subsequently announced its decision. They have recognised the importance of not saving those UDP policies that have discouraged regeneration and the delivery of housing; in particular policies E1, E3 and CS4 – policies that sought to prevent market or mixed tenure residential development of vacant sites previously in employment and community service uses.

The government has however directed H&F to save the UDP affordable housing policy HO5. The government has taken the view that the first part of policy HO5 which refers to an overall borough monitoring target of 65% affordable housing is in keeping with the policy thrust of the London Plan. However, it recognises that the second part of the policy that refers to the policies E3 and CS4 does not accord with national planning policy or with the London Plan. Nevertheless, the government has decided that the whole of Policy HO5 should be saved and remain in force.

We consider that this decision in relation to policy HO5 is potentially confusing and does not accord with the government's own guidelines for saving policies. The monitoring target is also unattainable now that the exception policies have lapsed. The council is therefore considering whether to seek a judicial review of the government's decision.

The Council considers that without policies E3 and CS4, a monitoring target of 65% affordable housing is not achievable and does not believe that it should be applied to individual planning applications: indeed it never was intended to be a rigid target for individual developments. Planning applications will therefore be considered in relation to the current overall level and type of local need for affordable and intermediate housing and to the need to achieve a successful development, balanced and sustainable communities, as well as to London Plan policies and other national guidance. Financial viability will continue to be a material consideration in all cases.

Details of all the UDP policies which the government has saved can be found on the council's website at http://www.lbhf.gov.uk/Directory/Environment_and_Planning/Planning/Local_plan/69082_Local_plan.asp