

**Cabinet Member Statement:**  
**Application of City Plan Policy S16 (Affordable Housing)**

In July 2018, the government introduced a revised National Planning Policy Framework (NPPF). This statement explains how these changes will affect both policy and delivery of affordable housing with respect to the adopted City Plan policy S16 and in the emerging City Plan 2019-40.

**Affordable Housing**

Delivering affordable, appropriate housing remains a core strategic objective of Westminster City Council. The adopted City Plan seeks to deliver an ambitious target of 30% new homes of new homes as *affordable*.

“The council will aim to exceed 30% of new homes to be affordable homes, and will work with its partners to facilitate and optimise the delivery of new affordable homes.”  
**Westminster City Council’s Adopted Affordable Housing Policy (S16)**

The revised NPPF in 2018 alters national direction by setting out how affordable housing should be sought:

“provision of affordable housing should not be sought for residential developments that are not major developments...”  
**Paragraph 63, National Planning Policy Framework**

The focus now is on larger developments, with a new definition of ‘major’ to apply to developments of 10 or more homes, or site area of 0.5 hectares or more.

**Developer Contribution**

The London Plan Policy sets its ‘provision trigger point’ as sites with the capacity to provide 10 or more homes. Westminster City Council equates this capacity to 1,000 sqm, therefore the 1,000 sqm threshold within adopted policy S16 still applies.

*“Boroughs should normally require affordable housing provision on a site which has capacity to provide 10 or more homes...”*

**London Plan Policy 3.13 (A)**

Both the London Plan and NPPF are clear that no credits are given for existing residential floorspace or units when evaluating this trigger point. Therefore, developers would be expected to base their affordable housing contributions on the total (gross) residential floorspace rather than the additional (or net) floorspace.

### **City Plan Policy vs NPPF**

However, the new NPPF position conflicts with the adopted City Plan policy with regard to floorspace; the adopted City Plan bases affordable housing provision on net floorspace, not gross. Whereas it is clear in the NPPF that if development is major development then affordable housing is to be provided.

Officers have sought legal advice to explore whether the updated NPPF overrides local policy. The advice supports the council's opinion it does.

### **Conclusion**

In order to most effectively meet housing need, the council will seek the provision of affordable housing from any residential scheme which provides 10 or more residential units, has a site area greater than 0.5 hectares or which provides 1,000sqm or more of residential floorspace. Therefore, notwithstanding applications called in by the Mayor, applications received and validated after 1<sup>st</sup> June 2019 will be determined by the council in accordance with the interpretation of City Plan Policy S16, London Plan Policy 3.13 and NPPF paragraph 63. As per the NPPF and London Plan, this will be regardless of the amount of existing residential units or residential floorspace.

A handwritten signature in black ink, reading "Richard Beddoe", with a horizontal line underneath.

**Councillor Richard Beddoe**  
**Cabinet Member for Place Shaping and Planning**  
**14<sup>th</sup> May 2019**