

**Report to** Sustainable development panel

23 September 2015

**Report of** Head of planning service

**Subject** Local plan implementation issues resulting from the  
housing standards review

**2**

---

### **Purpose**

To consider and advise cabinet on local plan advice and information notes produced to take account of the national housing standards review.

### **Recommendation**

To recommend that cabinet approves use of the revised Greater Norwich Water Efficiency Advice Note and the Norwich only information notes on Internal Space Standards and Accessible and Adaptable dwellings to aid implementation of the Norwich local plan.

### **Corporate and service priorities**

The report helps to meet the corporate priority a health city with good housing and the service plan priority to implement the local plan.

### **Financial implications**

None

**Ward/s:** All wards

**Cabinet member:** Councillor Bremner – Environment and Sustainable Development

### **Contact officers**

Mike Burrell, Planning policy team leader 01603 212525

Graham Nelson, Head of planning 01603 212530

### **Background documents**

None

# Report

## Introduction

1. This report requests that sustainable development panel considers and recommends Cabinet approves the revised Greater Norwich Water Efficiency Advice Note in annex 1 and the Internal Space Standards and Accessible and Adaptable dwellings information notes in annex 2.
2. The revised Greater Norwich Water Efficiency Advice Note relates to Joint Core Strategy policy and is therefore also being considered for approval by South Norfolk and Broadland district councils.
3. The information notes on Internal Space Standards and Accessible and Adaptable dwellings relate to Norwich local plan development management policies and are therefore only being considered by Norwich City Council.
4. The revisions to the advice note and the new information notes are required to take account of the national housing standards review published in the planning update ministerial statement in March 2015.

## The revised Greater Norwich Water Efficiency Advice Note

5. The advice note supports implementation of the water efficiency element of policy 3 of the adopted Joint Core Strategy (JCS) for Broadland, Norwich and South Norfolk. The note is intended to replace the Greater Norwich Development Partnership Water Efficiency Advice Note produced in 2012.
6. The national housing standards review cancels the Code for Sustainable Homes (CfSH) which JCS policy 3 references. The ministerial statement requires that from 1st October 2015, where there is a relevant current Local Plan policy relating to water efficiency, it “should be interpreted by reference to the nearest equivalent new national technical standard” in the new Building Regulations.
7. Advice concerning non-residential development is unchanged from the 2012 note as national policy changes apply only to housing.
8. The review means that the adopted JCS policy 3 requirement for developments of over 500 dwellings to be built to the former CfSH level 6 standard of 80 litres/person/day (l/p/d) by 2015, which encouraged a design led approach to water efficiency on large scale sites, can no longer be applied due to the national policy changes. This is because there is no equivalent new national standard as demanding as the requirement set in the JCS.
9. The remainder of the policy can still be applied. The optional water efficiency standard set out in new Building Regulations part G2 regulation 36 2(b) of 110 litres/person/day is directly equivalent to the former CfSH requirement and is therefore is the nearest equivalent national technical standard. The advice note provides information to enable this standard to be implemented through JCS policy 3.
10. This policy approach and the resulting advice note should not lead to increased costs for housing developers. The optional water efficiency standard can be met at minimal

or no extra cost through the use of water efficient fixtures and fittings. This will in turn reduce the costs of water bills for householders and water use overall.

11. The note also addresses the review's requirement that local planning authorities review their local information requirements to ensure that the necessary technical detail is requested to support adopted policies.

## **Norwich local plan information notes**

### **1. Internal space standards**

Government had already indicated that it was likely to introduce national space standards when policy DM2 on Amenity was drafted. Therefore plan text states that the indicative space standards it includes would be used for guidance until superseded by national standards. The ministerial statement of March 2015 also applies to internal space standards – these should also be interpreted by reference to the nearest equivalent national technical standard in the new Building Regulations.

Annex 2, which will be read alongside relevant local plan text, sets out text containing and explaining the new national standards. The changes resulting from this are very limited, and are largely procedural. The national standards are broadly equivalent to the interim standards, with the former including a greater range of sizes of property and separating out storage requirements.

### **2. Accessible and Adaptable dwellings standards**

In order to future proof the DM12 policy requirement for 10% of dwellings on sites of 10 homes or more to be built to Lifetimes Homes standards, so that they can be adapted to residents' changing needs over time, the policy refers to Lifetimes Homes standards "or equivalent".

Once again, the changes resulting from the housing standards review are very limited. The Building Regulations requirement M4(2) for accessible and adaptable dwellings is the nearest equivalent national technical standard to the Lifetime Homes standard required by the policy. Like Lifetime Homes, regulation M4(2) requires dwellings to be accessible, to meet differing needs, including for some elderly or disabled people, and to allow adaptation of the dwelling to meet the changing needs of the occupants over time.

Therefore, in order to continue to implement adopted policy DM12, 10% of homes on major housing developments of 10 dwellings or more must meet Building Regulations requirement M4(2) for accessible and adaptable dwellings.

Annex 2 also sets out the new text concerning accessible and adaptable dwellings which will be read alongside relevant local plan text and policy, including a link to the new national standards.

## Annex 1

### Greater Norwich Growth Board

#### Water Efficiency Advice Note – October 2015

##### 1. Purpose of the note

The purpose of this advice note is to support implementation of the water efficiency element of policy 3 of the adopted [Joint Core Strategy](#) (JCS) for Broadland, Norwich and South Norfolk.

It replaces the Greater Norwich Development Partnership Water Efficiency Advice Note produced in 2012.

This advice note takes account of the national housing standards review published in March 2015 through a [ministerial statement](#). Advice concerning non-residential development is unchanged from the 2012 note.

The national housing standards review cancels the Code for Sustainable Homes (CfSH) which JCS policy 3 references. The review establishes new national technical standards for water efficiency in new housing to be implemented through the Building Regulations, including an optional more demanding standard for water efficiency.

The ministerial statement requires that from 1 October 2015, where there is a relevant current Local Plan policy relating to water efficiency, it “**should be interpreted by reference to the nearest equivalent new national technical standard**”. This advice note provides information to enable the government’s revised standards to be implemented through JCS policy 3.

This note also addresses the review’s requirement that local planning authorities review their local information requirements to ensure that the necessary technical detail is requested to support adopted policies.

##### 2. Policy implementation

In relation to water efficiency, JCS policy 3 states:

**To ensure all housing is water efficient, new housing development must reach Code for Sustainable Homes level 4 for water on adoption of this document and developments of over 500 dwellings must reach code level 6 by 2015.**

**All other developments must seek to maximise water efficiency.**

The introduction of the national technical standard amends implementation of JCS policy 3 as follows:

1. The Code for Sustainable Homes (CfSH) level 4 policy requirement which applies to most housing development is replaced by the directly equivalent regulation 36

2(b) higher national technical standard for water efficiency, both of which are set at 110 litres per person per day (l/p/d) as opposed to the standard Building Regulations requirement of 125 l/p/d. This level of water efficiency can be easily achieved at very little extra cost through the use of water efficient fixtures and fittings.

2. The adopted JCS policy 3 requirement for developments of over 500 dwellings to be built to the former CfSH level 6 standard of 80 l/p/d by 2015, which encouraged a design led approach to water efficiency on large scale sites, can no longer be applied due to the national policy changes.

The justification for this policy approach is set out in the JCS and in appendix 3.

## 2.1 Residential developments

The regulation 36 2(b) optional higher requirement of 110 litres/person/day water efficiency is set out in [part G2 of the 2015 Building Regulations](#) . When completing their Building Regulations assessments, the applicant for planning permission must use the water efficiency calculator in part G2 [appendix A](#) to show how the development meets the requirement. This requirement will be set out in planning permissions and planning conditions will be applied (see appendix 1).

## 2.2 Non-residential development

The policy also requires non-residential development to **maximise** water efficiency. Evidence of how this will be done should be included in a Design and Access Statement. As a result, non-housing development should be accompanied by a nationally recognised assessment of water consumption.

It is strongly recommended that the most practical way of doing this is through a BREEAM assessment. Further detail on BREEAM assessments is in appendix 2 and the BREEAM [website](#) (see section 8).

In the absence of a BREEAM assessment, developers will need to provide evidence in their Design and Access Statement of how they have **maximised** water efficiency, clearly setting out the alternative means of achieving water efficiency that are appropriate to their development.

In most cases where significant building work is being undertaken, it is expected that water reuse techniques will be incorporated. If this is not proposed, the reasons for not doing so should be set out in the Design and Access statement.

### **3. Planning applications**

Since the policy requirement is tied to national standards in the Building Regulations and BREEAM, the process for providing the necessary information to support a planning application is relatively straightforward.

#### **3.1 Pre application discussions**

Water efficiency will be one of the policy requirements to be discussed by development management planners and developers from the earliest stages of the design and planning application process. Early consideration will reduce associated costs.

#### **3.2 Submitting planning applications**

**Residential development:** Reference to the requirement for the housing development to comply with the regulation 36 2(b) for water efficiency, and how this will be addressed, should be incorporated in the Design and Access Statement which supports the planning application.

**Non residential development:** The Design and Access Statement must include **either:**

- the **BREEAM design stage water assessment** (see appendix 2 for further detail). Commentary with the assessments should show how the development has maximised water efficiency, achieving as close to the “exemplary” standard as possible. This should be clearly set out in the Design and Access Statement. Due to economies of scale, large scale developments in particular should be able to achieve the highest standards.
- **or;** an assessment, covering both water consuming components and greywater or rainwater systems, showing how water efficiency has been **maximised**. Clear reasons must given in the Design and Access Statement stating why the submitted approach has been favoured.

#### **3.3 Assessing planning applications**

For all residential development, regulation 36 2(b) for water efficiency of the Building Regulations will be applied.

For non residential development, the content of the Design and Access statement in relation to water efficiency (including any submitted accredited BREEAM assessment) will be assessed.

### **3.4 Conditions**

Standard water conditions will be applied to relevant planning permissions. These are to ensure that the appropriate levels for water efficiency have been achieved and where applicable, will require that a BREEAM assessment is made on completion of development, prior to occupation. The standard conditions are in appendix 1.

### **3.5 Long term maintenance**

It will be important that developers inform residents and other users of their developments of both the advantages of the installed water efficiency devices and systems and of any issues related to long term maintenance.



## **Appendix 1 Standard water conditions**

### **1) For housing**

The development hereby approved shall be designed and built to meet the regulation 36 2(b) requirement of 110 litres/person/day water efficiency set out in part G2 of the 2015 Building Regulations for water usage. No occupation of [any of] the dwelling[s] shall take place until a Building Regulations assessment confirms that the development has been constructed in accordance with regulation 36 2(b) of part G2 of the Building Regulations for water efficiency and has been submitted to and agreed in writing by the local planning authority.

REASON: To ensure the development is constructed to an appropriate standard in accordance with Policy 3 and 20 of the adopted Joint Core Strategy 2011

### **2) For non-residential schemes**

#### **2.1 Including a BREEAM assessment:**

No occupation of [any of] the development shall take place until an accredited Post Construction stage BREEAM assessment which confirms that the development has been constructed in accordance with the BREEAM score for water usage required in the planning permission has been submitted to and agreed in writing by the local planning authority.

REASON: To ensure the development is constructed to an appropriate standard in accordance with Policy 3 and 20 of the adopted Joint Core Strategy 2011

#### **2.2 Not including a BREEAM assessment**

No development shall take place until details of water conservation measures designed to maximise water conservation have been submitted to and agreed in writing by the local planning authority. No use of the development hereby approved shall take place until the agreed measures have been installed and brought into use and such measures shall be permanently retained.

REASON: To ensure the development is constructed to an appropriate standard in accordance with Policy 3 and 20 of the adopted Joint Core Strategy 2011

### **3) Mixed use schemes require both**

## **Appendix 2 BREEAM Assessments for non- domestic buildings**

As part of a BREEAM assessment, a score (ranging from 1 to 5, with a higher “exemplary” score) is given for water efficiency using the BREEAM Wat 01 water consumption calculator. The water consumption (litres/person/day) for the assessed building is compared against a notional baseline performance and BREEAM credits awarded as follows:

<b>% improvement</b>	<b>No. of BREEAM credits</b>
<b>12.5%</b>	1
<b>25%</b>	2
<b>40%</b>	3
<b>50%</b>	4
<b>55%</b>	5
<b>65%</b>	Exemplary performance

When submitting applications for non domestic buildings, developers using BREEAM assessments will need to supply Design Stage BREEAM assessments as part of their Design and Access Statements. These must contain the following:

1. Completed copy of the BREEAM Wat 01 calculator
2. Relevant section/clauses of the building specification/ design drawings confirming technical details of;
  - Sanitary components
  - Rainwater and greywater collection system

OR where detailed documentary evidence is not available at this stage;

1. Completed BREEAM Wat 01 calculator
2. A letter of instruction to a contractor/supplier or a formal letter from the developer giving a specific undertaking, providing sufficient information to allow the water calculations to be completed.

### **Appendix 3 The need for water efficient development in the area**

Since water resource and quality issues do not affect all parts of the country equally, there is no national approach to increase water efficiency in development beyond the standard building regulations requirements of new dwellings being built to use no more than 125 litres of water per person per day.

Higher standards can be required where a local plan policy is in place which has been subject to independent examination showing the need for such a policy approach.

The greater Norwich area experiences low rainfall and suffers from water stress. A detailed Water Cycle Study was undertaken as part of the evidence base for the Joint Core Strategy (JCS). This showed that the housing and economic growth needs of the area required water efficient new development. This is mainly due to the need to address water quality issues in internationally protected habitats in the Broads and the Wensum. Therefore a progressive water efficiency policy, which received broad support at examination, was introduced through the JCS. The updated approach set out in this advice note maintains an emphasis on the need for water efficiency in new development in the area, though the most demanding requirements for very large housing sites can no longer be implemented.

In addition to emphasising the need for new development to be water efficient, Anglian Water is working to increase the water efficiency of existing development. This is being done primarily through increased metering, as promoted by the [Water Resources Management Plan 2014](#) and related water efficiency [campaigns](#).

## **Annex 2 – Norwich local plan information notes**

### **Norwich Local Plan Information Note – Internal Space Standards**

This information note reflects post adoption changes to national policy as a result of the housing standards review and the subsequent [ministerial statement](#) of March 2015 which affect the implementation of policy DM2 - Amenity. It should be read alongside existing local plan policy and text.

From October 1<sup>st</sup> 2015, table 1 below, the new national standard for internal space from “[Technical housing standards - nationally described space standard](#)”, replaces the local internal space standard in the table below paragraph 2.4 on page 33 of this plan, which no longer applies. The standard in table 1 below is the nearest equivalent new national technical standard to the indicative local standard. The national standard includes a greater range of sizes of property and separates out storage requirements.

**Table 1 - Minimum gross internal floor areas and storage (m<sup>2</sup>)**

Number of bedrooms(b)	Number of bed spaces (persons)	1 storey dwellings	2 storey dwellings	3 storey dwellings	Built-in storage
1b	1p	39 (37) <sup>2</sup>			1.0
	2p	50	58		1.5
2b	3p	61	70		2.0
	4p	70	79		
3b	4p	74	84	90	2.5
	5p	86	93	99	
	6p	95	102	108	
4b	5p	90	97	103	3.0
	6p	99	106	112	
	7p	108	115	121	
	8p	117	124	130	
5b	6p	103	110	116	3.5
	7p	112	119	125	
	8p	121	128	134	
6b	7p	116	123	129	4.0
	8p	125	132	138	

<sup>2</sup> Where a one person flat has a shower room rather than a bathroom, the floor area may be reduced from 39m<sup>2</sup> to 37m<sup>2</sup>.

The national standard does not cover requirements for external space (e.g. for refuse storage); consequently Appendix 3 continues to apply.

#### **Justification**

The final sentence of paragraph 2.4 of this plan states that the indicative space standards will be used for guidance until they are superseded by national standards. The [ministerial statement](#) of March 2015 states that from 1 October 2015 existing Local Plan policies relating to internal space should be interpreted by reference to the nearest equivalent new national technical standard.

**Addition to page 33 (in bold text)**

2.4 Institute of British Architects (RIBA) in September 2011 (“The Case for Space”) proposes a range of minimum standards largely analogous to these. Development in the majority of cases can reasonably be expected to achieve these standards in Norwich but there may be some scope to relax them on a case by case basis if there are exceptional conservation or regeneration benefits. The standards below will be used for guidance until such time as they are superseded by national space standards.

	Dwelling type (bedroom/persons)	Indicative minimum gross internal area (GIA) (sq.m)
Single storey dwelling	1p	37
	1b2p	50
	2b3p	61
	2b4p	70
	3b4p	74
	3b5p	86
	4b6p	99
Two storey dwelling	2b3p	71
	2b4p	83
	3b5p	96
	4b6p	107
Three storey dwelling	3b5p	102
	4b6p	113

***This table no longer applies. It is replaced by the new national standard. Please see the information note on page 34a.***

2.5 Outdoor space around new homes may be provided as private gardens or as communal amenity space. It should, however, be integral to the overall design of the development. Where residential balconies are accepted as part of high density development proposals, this may contribute towards the overall provision of external amenity space.

## **Norwich Local Plan information note - Accessible and Adaptable dwellings standards**

This information note reflects post adoption changes to national policy as a result of the housing standards review and the subsequent [ministerial statement](#) of March 2015 which affect the implementation of policy DM12 – Principles for all residential development.

From October 1<sup>st</sup> 2015, [Building Regulations M4\(2\)](#) for accessible and adaptable dwellings replaces the Lifetime Homes standard. The requirement in clause f) of policy DM12 of this plan is for 10% of homes on major housing developments of 10 dwellings or more to be built to the Lifetime Homes standard, **or equivalent**. The Lifetime Homes requirement is replaced by Building Regulation M4(2), which is the nearest equivalent new national technical standard to the Lifetime Homes standard.

### **Justification**

The [ministerial statement](#) of March 2015 states that “From 1 October 2015: Existing Local Plan policies relating to access and internal space should be interpreted by reference to the nearest equivalent new national technical standard”.

The Building Regulations requirement M4(2) for accessible and adaptable dwellings is the nearest equivalent national technical standard to the Lifetime Homes standard required by policy DM12. Like Lifetime Homes, regulation M4(2) requires dwellings to be accessible, to meet differing needs, including for some elderly or disabled people, and to allow adaptation of the dwelling to meet the changing needs of the occupants over time.

Therefore, in order to continue to implement adopted policy DM12, 10% of homes on major housing developments of 10 dwellings or more must meet Building Regulations requirement M4(2) for accessible and adaptable dwellings.

### **Policy DM12 clause f) (page 96)**

f) For all proposals involving the construction of 10 or more dwellings, at least 10% of those dwellings will be built to Lifetime Homes (or equivalent).

***The Lifetime Homes requirement no longer applies. It is replaced by the equivalent standard in the Building Regulations, part M4(2). Please see information note on page 102.***