

Report to Sustainable development panel
25 September 2013
Report of Head of planning service
Subject Housing Standards Review Consultation

Item

5

Purpose

This report seeks members' views on the proposed response to the government's Housing Standards Review consultation set out in appendix 1.

Recommendation

To note the report and comment on the proposed response to the government's Housing Standards Review consultation.

Corporate and service priorities

The report helps to meet the corporate and the service plan priorities "Decent housing for all."

Financial implications

None.

Ward/s: All wards

Cabinet member: Councillor Stonard – Environment and Development

Contact officers

Mike Burrell, policy team leader (planning) 01603 212525

Graham Nelson, head of planning services 01603 212530

Background documents

None

Report

1. This report seeks members' views on the proposed response to the government's Housing Standards Review consultation.

Context

2. The context to this report is the government's continuing programme of planning reform introduced over the past couple of years.
3. Members will already be familiar with some elements of this programme of reform which have been previously been the subject of reports to this committee.
4. Key elements of the reforms to date include:
 - The Localism Act 2011 which abolished regional plans, introduced the duty to cooperate, created neighbourhood planning, and set up the Major infrastructure planning unit;
 - The publication of the National Planning Policy Framework in 2012 which streamlined the planning policy guidance statements into one document;
 - The Lord Harman review on viability testing for local plans, 2012;
 - The Growth and Infrastructure Act 2013 which includes a set of measures to speed up the planning process;
 - Revised planning regulations 2012 to reflect the Localism Act;
 - Changes to permitted development rights introduced in May 2013 which allow for changes of use from offices to housing for a 3 year period, and greater flexibilities of change between specified uses for a 2 year temporary period.
5. The Department for Communities and Local Government is currently conducting consultations on a range of proposed planning policy changes. These include 'Greater flexibilities on changes of use', which is the subject of a separate report to the Sustainable Development Panel. This report focuses upon the current consultation on 'Housing standards review' which runs until 22 October 2013.
6. The government aims to cut red tape, streamline and simplify planning and reduce what it regards as unnecessary costs on development by requiring councils setting various housing standards locally which go beyond Building Regulations through their Local Plans to only use new "national standards". These national standards will be established as a result of the consultation. Such national standards could only be introduced locally if there is a clear evidence base to require them and it is shown that the use of such standards will not affect the viability of development.
7. The government proposes "to wind down the role of the Code for Sustainable Homes", viewing the proposed national standards as the successor to the Code.
8. This consultation is significant for Norwich as it has implications for emerging policy in relation firstly to standards set in the new Local Plan for the minimum size of homes and their adaptability over time, and secondly for existing energy and water efficiency policies set in the Joint Core Strategy.

9. The draft response to the Housing Standards review consultation is set out in appendix 1. A summary of the issues being consulted which have a bearing on current and emerging policy and a summary of the draft response is set out below.
10. The government's consultation documents which provide the context for the response are available from:
<https://www.gov.uk/government/consultations/housing-standards-review-consultation> .
11. As this consultation is very detailed and involved, responses have only been made to those questions which are relevant to standards set in planning policies and to those which are pertinent to the council's role as a housing provider.
12. The consultation suggests that planning authorities will be encouraged to bring their Local Plans up to date to align with the new standards. It also states that a policy statement will be produced covering these issues which will be a material consideration relating to planning applications. This could potentially mean that applicants could challenge the continued use of the water and energy policies as adopted and that the emerging space and accessibility standards as submitted may be amended at examination.

Summary of Consultation response

13. In general the responses seek to justify the policy approach being taken in Norwich. Responses argue that any new national standards should enable the policy approach currently being taken or proposed in Norwich to the adaptability and minimum size of homes and to water and energy efficiency to be continued.

1. Lifetime Homes and Internal space standards

14. This section of the consultation covers accessibility and space in new homes. It seeks views on how best to rationalise and simplify the current range of accessibility standards used by local authorities so that they are consistently used and applied on a national basis. It also asks whether there should be minimum internal space standards for homes, which do not currently exist.
15. There are currently minimum accessibility standards for all new homes in Building Regulations, but no regulations requiring homes to be adaptable to meet changing needs over time. The consultation document states that the use of different standards by different local authorities set through Local Plans has been highlighted as "adding unnecessary cost and complexity to new housing development."
16. There are policies in the emerging Development Management policies DPD (DM12 and DM2) on these issues. Policy DM12 requires housing developments of over 10 dwellings to have 10% of homes built to "Lifetime Homes" standards, which means that these houses are built so that they can be adapted to peoples' changing needs over their lifetime. DM2 requires developers to meet indicative minimum standards for the size of homes (e.g. a two bedroom two storey home for three people should be a minimum of 71 square metres).
17. The draft responses to the consultation in appendix 1:

- Supports the proposal for a national standard to be established covering the same issues as Lifetime Homes (see question 5) which could be referenced in policy DM12;
- Supports the proposal for "space labelling" of new homes (i.e. clearly setting out the internal space sizes of new homes for the buyer). The response also agrees that local authorities should be able to set space standards using a national standard. However, it argues that it is important that this national standard is set at level similar to Norwich's proposed standards in its new Local Plan (see questions 13 to 21).

2. Water

18. This section of the consultation covers locally established water efficiency policies.

19. It seeks views on whether there should be a national standard above the Building Regulations requirements that can be adopted by local authorities where there is a clear evidence based need for such a policy. It states that some local authorities have set unnecessarily high standards through their Local Plans, adding costs of up to £4,000 per home to housing development.

20. The national standard proposed would require housing to be built to the current Code level 3/4 of 105 litres per person per day (l/p/d). The Building Regulations are set at 120 l/p/d. The consultation proposes that no higher standard than 105 l/p/d can be set.

21. As a result of evidence in the Greater Norwich Water Cycle Study on the need for water efficiency in the area if the required housing and employment growth is to be provided for, Norwich, Broadland and South Norfolk have a requirement, set though JCS policy 3, that;

- all housing development must meet code level 3/4 (105 l/p/d);
- new housing developments of over 500 dwellings from 2015 must meet code level 5/6 (80 l/p/day).

22. The policy, which also requires other types of development to be water efficient, is supported by an Advice Note.

23. The draft Norwich City Council responses to the consultation in appendix 1 (questions 40 to 50) state:

A) There needs to be a higher standard for water efficiency than the current Building Regulations in some areas of the country, particularly for large scale developments which can benefit from economies of scale, either in relation to procurement of water efficient fixtures and fittings or through water recycling measures if that route is chosen.

General levels of water stress, particularly in the drier parts of the country in the east and south east, or in some locations where there are sensitive water environments and the requirements of the Water Framework Directive are relevant, make the ability to set higher water efficiency standards through Local Plans a necessary tool.

The ability to implement such standards through planning assists water companies' strategies to reduce water use whilst protecting environmental assets and enabling housing and employment growth in locations where evidence shows they are necessary. Such water efficiency measures are a cost effective means in the long run of enabling housing and employment growth in areas suffering from water stress.

Therefore the draft response argues that the proposal in the consultation that higher standards of water efficiency can no longer be required (code level 5/6, 80 litres per person per day) could hinder growth in some areas.

There was support from Natural England, the Environment Agency and Anglian Water for the Greater Norwich policy at the examination in public into the JCS, with very little opposition from the development industry, there being a general understanding that in areas of water stress, water efficiency policies are necessary. It has been recently demonstrated that in this area these policies are both necessary and viable.

The recently published Anglian Water draft 2014 Water Resources Management Plan (WRMP) further justifies the JCS policy approach. It requires water efficiency measures in existing development in the Norwich area, as part of a wider package to reduce water use in the area. These include leakage control measures. The provision of new sources of water supply will be required in the long term.

The JCS policy approach clearly complements these measures. The effective implementation of the combined measures will postpone the long term need for investment in new water resources and may enable different, potentially lower cost, solutions to be implemented as technology progresses.

B) There should either:

- be two national standards beyond the current Building Regulations of 120 l/p/d, the first at 105 l/p/d, the second at 80l/p/d;
- or
- the current Building Regulation requirement of 120 l/p/d should be replaced by a 105 l/p/d requirement as this is so cheap and easy to achieve (approximately £70 per house) and would have benefits in all locations. The higher “national standard”, to be used in areas such as Greater Norwich where there is evidence it is necessary, should then be set a 80l/p/d. This would assist in promoting water efficiency as part of a wider package of measures in water stressed areas.

C) That the costs attributed in the consultation to achieving code level 6 (80l/p/d) at £3,000 to £4,000 per dwelling may be significantly too high as this level can now be achieved at a cost of approximately £1,500 per dwelling using water efficient fixtures and fittings rather than through water recycling. Large scale water recycling measures on larger developments can also reduce costs. The response requests that DCLG consult Waterwise on this point.

3. Energy (questions 51 and 56 in appendix 1)

24. This section of the consultation covers locally established energy policies. It seeks views on whether the current ability to have a Local Plan requirement for a proportion of energy in new development to be generated from sustainable energy sources (known as the Merton Rule) should be stopped. The government argues that such a policy requirement is no longer necessary due to changes in the Building Regulations in 2013 which require homes to be designed to be energy efficient through being more air tight.
25. Norwich has an adopted Merton Rule policy, JCS policy 3. This policy requires housing development to provide 10% of its energy from sustainable sources.
26. The draft consultation response states that all local authorities which have an adopted Merton rule type policy should be able to continue to implement those policies until 2016, when further proposed amendments to the Building Regulations requiring zero carbon housing (with allowable solutions) will make the Merton rule policies redundant. The response states that the amendments to the Building Regulations made in 2013 do not raise standards sufficiently to make the policy requirement redundant currently.

Appendix 1

Housing Standards Review Consultation - Response Form

How to respond:

Please respond by email to: HousingStandardsReview@communities.gsi.gov.uk.

Postal responses can be sent to:

Simon Brown
Code for Sustainable Homes & Local Housing Standards
Department of Communities & Local Government
5 G/10, Eland House,
Bressenden Place,
London, SW1E 5DU

The closing date for responses is 5pm on 22 October 2013.

About you:

First Name:	Michael
Last Name:	Burrell
Position:	Planning Policy Team Leader
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01603 212525

(i) Are the views expressed on this consultation an official response from the organisation you represent or your own personal views?

Organisational response

☒

Personal views

☐

(ii) Are the views expressed on this consultation in connection with your membership or support of any group? If yes please state name of group:

Yes

☐

No

☒

Name of group:

(iii) Please tick the *one* box which best describes you or your organisation:

Builders / Developers:		Property Management:	
Builder – Main contractor	<input type="checkbox"/>	Housing association (registered social landlord)	<input type="checkbox"/>
Builder – Small builder (extensions/repairs/maintenance, etc)	<input type="checkbox"/>	Residential landlord, private sector	<input type="checkbox"/>
Installer / specialist sub-contractor	<input type="checkbox"/>	Commercial	<input type="checkbox"/>
Commercial developer	<input type="checkbox"/>	Public sector	<input checked="" type="checkbox"/>
House builder	<input type="checkbox"/>	Building Control Bodies:	
Building Occupier:		Local authority – building control	<input type="checkbox"/>
Homeowner	<input type="checkbox"/>	Approved Inspector	<input type="checkbox"/>
Tenant (residential)	<input type="checkbox"/>	Specific Interest:	
Commercial building	<input type="checkbox"/>	Competent Person Scheme operator	<input type="checkbox"/>
Designers / Engineers / Surveyors:		National representative or trade body	<input type="checkbox"/>
Architect	<input type="checkbox"/>	Professional body or institution	<input type="checkbox"/>
Civil / Structural Engineer	<input type="checkbox"/>	Research / academic organisation	<input type="checkbox"/>
Building Services Engineer	<input type="checkbox"/>	Energy Sector	<input type="checkbox"/>
Surveyor	<input type="checkbox"/>	Fire and Rescue Authority	<input type="checkbox"/>
Manufacturer / Supply Chain	<input type="checkbox"/>	Other (please specify)	<input checked="" type="checkbox"/>
		Local planning authority	

(iv) Please tick the *one* box which best describes the size of your or your organisation's business?

Micro – typically 0 to 9 full-time or equivalent employees (incl. sole traders)

☐

Small – typically 10 to 49 full-time or equivalent employees

☐

Medium – typically 50 to 249 full-time or equivalent employees

☐

Large – typically 250+ full-time or equivalent employees

☒

None of the above (please specify)

☐

(v) Would you be happy for us to contact you again in relation to this consultation?

Yes

☒

No

☐

DCLG will process any personal information that you provide us with in accordance with the data protection principles in the Data Protection Act 1998. In particular, we shall protect all responses containing personal information by means of all appropriate technical security measures and ensure that they are only accessible to those with an operational need to see them. You should, however, be aware that as a public body, the Department is subject to the requirements of the Freedom of Information Act 2000, and may receive requests for all responses to this consultation. If such requests are received we shall take all steps to anonymise responses that we disclose, by stripping them of the specifically personal data - name and e-mail address - you supply in responding to this consultation. If, however, you consider that any of the responses that you provide to this survey would be likely to identify you irrespective of the removal of your overt personal data, then we should be grateful if you would indicate that, and the likely reasons, in your response, for example in the comments box.

Questions:

Please note: We very much welcome your views to help inform our decision on the way forward on standards. However, you are not obliged to answer every question. You can focus only on the sections that are most relevant to you.

Introduction

Q1 Which of the options (A, B, or C) set out above do you prefer? Please provide reasons for your answers.

A ☒ B ☐ C ☐

Comments:

In line with the National Planning Policy Framework's promotion of locally relevant evidence based policies in Local Plans, it should still be possible for higher standards than the requirements of the Building Regulations to be set locally where there is an evidence based need for them. The requirement to only have nationally described standards would be helpful for most of the issues covered by this consultation as this would assist in providing certainty for the whole development industry. However it remains important that nationally described standards should be set at appropriate levels to enable problems such as water stress to be effectively addressed in localities where this is an issue.

Q2 Do you agree that there should be a group to keep the nationally described standards under review? Y/N.

YES ☒ NO ☐

Comments:

The review board should be representative of all development interests.

Q3 Do you agree that the proposed standards available for housing should not differ between affordable and private sector housing? Y/N.

Please provide reasons for you answer.

YES ☒ NO ☐

Comments:

It is important that private standards are raised to match affordables, as opposed to affordables being lowered to match private.

Q4 We would welcome feedback on the estimates we have used in the impact assessment to derive the total number of homes incorporating each standard, for both the “do nothing” and “option 2” alternatives. We would welcome any evidence, or reasons for any suggested changes, so these can be incorporated into the final impact assessment.

Comments:

Accessibility – General questions

Q5 Do you agree that minimum requirements for accessibility should be maintained in Building Regulations? Y/N.

YES ☒ NO ☐

Comments:

Minimum requirements should continue to be set in Building Regulations. In addition to this, Norwich City Council has a submitted policy requiring 10% of homes in developments of 10 dwellings or more to be built to Lifetime Homes standards. There has been no opposition to this submitted policy. The council supports the development of a national standard to cover the same issues of adaptability presently addressed by Lifetime Homes.

Q6 a) Is up-front investment in accessibility the most appropriate way to address housing needs, Y/N.

if Yes,

b) Should requirements for higher levels of accessibility be set in proportion to local need through local planning policy? Y/N.

A ☐ YES ☐ NO ☐

B ☐ YES ☐ NO ☐

Comments:

Q7 Do you agree in principle with the working group's proposal to develop a national set of accessibility standards consisting of a national regulatory baseline, and

optional higher standards consisting of an intermediate and wheelchair accessible standard? Y/N.

YES ☐ NO ☐

Comments:

Q8 Do you agree with the costs and assumptions set out in the accompanying impact assessment? Specifically we would like your views on the following:

a) Do you agree with the estimated unit costs of Life Time Homes? Y/N If not we would appreciate feedback as to what you believe the unit cost of complying with Life Time Homes is.

b) Do you consider our estimates for the number of homes which incorporate Life Time Homes to be accurate? Y/N If respondents do not consider our estimate is reasonable we would appreciate feedback indicating how many authorities you believe are requiring Life Time Homes standards.

Wheelchair Housing Design Guide/standards:

c) Do you agree with the figures and assumptions made to derive the extra over cost of incorporating Wheelchair Housing Design Guide? Y/N If not we would welcome feedback along with evidence so that we can factor this into our final analysis.

d) Do you have evidence of requirements for and the costs other wheelchair standards which we have not estimated? Y/N We would appreciate the estimated costs of complying with the standard and how it impacts properties.

e) Do you consider our estimates for the number of homes which incorporate wheelchair standards to be accurate (in the “do nothing” and “option 2” alternatives). Y/N. If you do not consider the estimate to be reasonable, please could you indicate how many authorities you believe require wheelchair standards.

A) YES ☐ NO ☐

Comments:

B) YES ☐ NO ☐

Comments:

C) YES ☐ NO ☐

Comments:

D) YES ☐ NO ☐

Comments:

E) YES ☐ NO ☐

Comments:

Q9 Do you believe that the estimated extra over costs in the Impact Assessment reflect the likely additional cost of each level? Y/N

YES ☐ NO ☐

Comments:

Q10 Do you agree that level 3 properties should be capped in order to ensure local viability calculations remain balanced? Y/N

If yes, at what level should the cap be set?

YES ☐ NO ☐

Comments:

Q11 If a cap were to be adopted should it, in principle;

a) Vary across tenure?

b) Be flat across tenure?

A ☐ B ☐

Comments:

Q12 To what extent would you support integration of all three levels of the working group's proposed access standard in to Building regulations with higher levels being 'regulated options'? Please provide reasons for your answer if possible.

a) Fully support.

b) Neither support or oppose.

c) Oppose.

A ☐ B ☐ C ☐

Comments:

Accessibility – Technical questions

QA1.1 Would you support the proposed changes to these aspects of guidance? Y/N.

In your view, would introducing these requirements increase cost over and above that within the current AD M of the Building Regulations- please provide reasons for your answer.

YES ☐ NO ☐

Comments:

QA1.2 Would you support the inclusion of guidance non car parking for all dwellings as set out in the consultation standard? Y/N.

In your view, would introducing these requirements increase cost to industry - please provide reasons for your answer.

YES ☐ NO ☐

Comments:

QA1.3 Would you support inclusion of requirements for external lighting and covered communal entrances? Y/N.

In your view, would introducing these requirements increase cost to industry - please provide reasons for your answer.

YES ☐ NO ☐

Comments:

QA1.4 Do you think that including this guidance for lobbies in all dwellings would be helpful? Y/N.

Would introducing these requirements increase cost to industry - please provide reasons for your answer.

YES ☐ NO ☐

Comments:

QA1.5 Do you agree that the lift size set out in the technical standard reflects current industry practice? Y/N.

Would introducing these requirements increase cost to industry - please provide reasons for your answer.

YES ☐ NO ☐

Comments:

QA1.6

Do you agree that it is appropriate to require a minimum width of 850mm in all new homes? Y/N.

Would introducing these requirements increase cost to industry - please provide reasons for your answer.

YES ☐ NO ☐

Comments:

QA1.7 Do you agree that it is appropriate to amend guidance on hall and landing widths? Y/N.

Would introducing these requirements increase cost to industry - please provide reasons for your answer.

YES ☐ NO ☐

Comments:

QA1.8 Would you support this simplification measure? Y/N.

Please give reasons for your answer being clear whether you think that this could add cost to home builders.

YES ☐ NO ☐

Comments:

QA1.9 Do any other elements of the working group's suggested technical standard increase requirements above current regulatory minimum? Y/N.

Please give reasons for your answer being clear whether you think that this could add cost to home builders and in particular in relation to reworded guidance on the following:

- Approach routes
- External steps
- Communal Approach route
- Communal entrance doors
- Private entrance

- Hall and landing widths
- Clear access zones and route
- Consumer units

YES ☐ NO ☐

Comments:

QA1.10 Are the working group's proposed performance requirements for level 1 of the standards pitched at the right level?

Please indicate which of the options below you agree with.

- a) they go too far, and should be reduced
- b) they are about right
- c) they don't go far enough

A ☐ B ☐ C ☐

Comments:

QA1.11 If you do not entirely agree (ie your answer is a) or c), what aspects should be different and why (please provide reasons for your answers, identifying the specific measure by reference number where possible).

Comments:

QA1.12 Do you agree that it would be beneficial for the structure, definitions, terminology and diagrams common to all three levels to be reflected in an updated version of Approved Document M (Access to and use of buildings) of the Building Regulations? Y/N

YES ☐ NO ☐

Comments:

QA1.13 Do you agree that level 2 properties should provide step free access and key facilities at ground level? Y/N.

YES ☐ NO ☐

Comments:

QA1.14 Are the working group's proposed performance requirements for level 2 of the standards pitched at the right level? Please indicate which of the options below you agree with.

- a) they go too far, and should be reduced
- b) they are about right
- c) they don't go far enough

A ☐ B ☐ C ☐

Comments:

QA1.15 If you do not entirely agree, (ie your answer is a) or c), what aspects should be different and why (please provide reasons for your answers, identifying the specific measure by reference number where possible).

Comments:

QA1.16 Are the working group's proposed performance requirements for level 3 of the standards pitched at the right level? Please indicate which of the options

below you agree with.

- a) they go too far, and should be reduced
- b) they are about right
- c) they don't go far enough

A ☐ B ☐ C ☐

Comments:

QA1.17 If you do not entirely agree, (ie your answer is a) or c), what aspects should be different and why (please provide reasons for your answers, identifying the specific measure by reference number where possible).

Comments:

QA1.18 Do you agree that improved evidence of wheelchair users housing needs is necessary? Y/N

YES ☐ NO ☐

Comments:

QA1.19 If DCLG was to lead on this research, would you or your organisation be able and willing to collaborate in such a project? Y/N

YES ☐ NO ☐

Comments:

QA1.20 Do you agree with the working group's proposed differentiation between wheelchair accessible and wheelchair adaptable housing? Y/N

YES ☐ NO ☐

Comments:

Space – General questions

Q13 Would you support government working with industry to promote space labelling of new homes? Y/N

YES ☒ NO ☐

Comments:

Q14 Do you agree with this suggested simple approach to space labelling? Y/N.

YES ☒ NO ☐

Comments:

Q15 If not, what alternative approach would you propose?

Comments:

Q16 Would you support requirements for space labelling as an alternative to imposing space standards on new development? Y/N.

YES ☐ NO ☒

Comments:

This should apply to both private housing and affordables.

Q17 Would you support the introduction of a benchmark against which the space labelling of new properties is rated? Y/N Please give reasons for your answer.

YES ☒ NO ☐

Comments:

Using ratings is an easy method of putting information across.

Q18 Which of the following best represents your view? Please provide reasons for your views.

a) Local authorities should not be allowed to impose space standards (linked to access standards) on new development.

b) Local authorities should only be allowed to require space standards (linked to access standards) for affordable housing.

c) Local authorities should be allowed to require space standards (linked to access standards) across all tenures.

A ☐ B ☐ C ☒

Comments:

Norwich City Council has indicative minimum space standard guidelines in its submitted development management policy DM2 on Amenity. Residential development would normally be expected to achieve these standards unless there are regeneration or conservation benefits that outweigh the requirement of the guideline standards. The standards are set out in paragraph 2.4 on page 33 of the submitted plan, available at <http://www.norwich.gov.uk/Planning/Documents/SD18.pdf>

No challenge has been made to these standards as part of the examination in public into the plan.

Q19 Do you think a space standard is necessary (when linked to access standards),

and would you support in principle the development of a national space standard for use by local authorities across England? Y/N

YES ☒ NO ☐

Comments:

The standards set in the Norwich policy are, overall, very slightly higher than those proposed for the level 1 space standard in table A1 on page 50 of the Illustrative Technical Standards document. Norwich City Council therefore supports the introduction of a national standard, though at the slightly higher levels set out in its submitted Local Plan rather than those in the working group's illustrative technical standards, with additional standards for wheelchair accessibility linked to access standards.

Q20 Do you agree with the proposed limiting of the scope of any potential space standard to internal aspects only? Y/N

YES ☒ NO ☐

Comments:

External space standards in historic cities such as Norwich would be impractical and the homogenous development they would promote would not be in keeping with its surroundings.

Q21 Do you agree that Space Standards should only be applied through tested Local Plans, in conjunction with access standards, and subject to robust viability testing?

YES ☒ NO ☐

Comments:

The Local Plan examination is the best means of testing the need for such standards in different locations.

Q22 Do you agree with the costs and assumptions set out in the impact assessment?
We are particularly interested in understanding;

a) Do stakeholders agree with our assumption that house builders are able to recover 70% of the additional cost associated with space in higher sales values?

b) Do you agree with the extra over unit costs we have used for the current and proposed space standards? If you do not agree, could you provide evidence to support alternative figures for us to include in the final impact assessment?

c) Do you agree with the proportion of homes we have estimated to have taken up space standards in the “do nothing” and “option 2” alternatives? If you do not agree, could you provide evidence to support alternative figures for us to include in the final impact assessment?

Please provide reasons for your answers.

A ☐ B ☐ C ☐

Comments:

Q23 If you do not agree with the costs set out in the impact assessment please state why this is the case, and provide evidence that supports any alternative assumptions or costs that should be used?

Comments:

Q24 We also need to verify how many local authorities are currently requiring space standards, and what those space standard requirements might be. Can you identify any requirements for space standards in local planning policies? Please provide evidence or links where possible.

Comments:

See response to question 18 above.

Q25 Can you provide any of the following, (supporting your submission with evidence wherever possible)?

a) Evidence of the distribution of the size of current private and affordable housing development?

b) Evidence of space standards required by local authorities stating what is required and by whom?

c) Evidence of the likely cost impact of space standards?

A ☐ B ☒ C ☐

Comments:

See response to question 18 above.

Q26 What issues or material do you consider need be included in H6 of the Building Regulations, in order to address the issues identified above?

Comments:

Q27 Do you agree with this approach to managing cycle storage? Y/N.

YES ☐ NO ☐

Comments:

Space - Technical questions

QA2.1 Do you agree that any space standards, if adopted, should be co-ordinated with the requirements of relevant accessibility standards? Y/N

YES ☐ NO ☐

Comments:

QA2.2 Do you agree with Gross Internal Areas indicated at Level 1, 2 and 3, shown in Table A1-3? If not, please provide reasons for your answer. Y/N

YES ☐ NO ☐

Comments:

QA2.3 Do you think it is necessary to define minimum areas for bedrooms and do you agree with the areas for bedrooms indicated at Level 1, 2 and 3 in Table 2? Y/N

YES ☐ NO ☐

Comments:

QA2.4 Are the performance requirements for level 1 of the space standards proposed by the working group pitched at the right level? Please indicate which of the options below you agree with.

- a) they go too far, and should be reduced
- b) they are about right

c) they don't go far enough

A ☐ B ☐ C ☐

Comments:

QA2.5 If you do not entirely agree (ie your answer is a) or c), what aspects should be different and why (please provide reasons for your answers, identifying the specific measure by reference number where possible).

Comments:

QA2.6 Are the performance requirements for level 2 of the space standards proposed by the working group pitched at the right level? YN Please indicate which of the options below you agree with.

- a) they go too far, and should be reduced
- b) they are about right
- c) they don't go far enough

A ☐ B ☐ C ☐

Comments:

QA2.7 If you do not entirely agree (ie your answer is a) or c), what aspects should be different and why (please provide reasons for your answers, identifying the specific measure by reference number where possible).

Comments:

QA2.8 Are the performance requirements for level 3 of the space standards proposed by the working group pitched at the right level? YN Please indicate which of the options below you agree with.

- a) they go too far, and should be reduced
- b) they are about right
- c) they don't go far enough

A ☐ B ☐ C ☐

Comments:

QA2.9 If you do not entirely agree (ie your answer is a) or c), what aspects should be different and why (please provide reasons for your answers, identifying the specific measure by reference number where possible).

Comments:

Security – General questions

Q28 Do you support the view that domestic security for new homes should be covered by national standards/Building Regulations or should it be left to market forces/other?

a) national standards/Building Regulations

b) market forces/other

Where possible, please provide evidence to support your view?

A ☐ B ☐

Comments:

Q29 – Part 1 Do you think there is a need for security standards? Y/N

YES ☐ NO ☐

Comments:

Q29 – Part 2 If yes, which of the approaches set out above do you believe would be most effective to adopt (please select one only)?

a): Option 1 – A baseline (level 1) standard and a higher (level 2) standard.

b): Option 2– A single enhanced standard (level 2) for use in areas of higher risk only.

A ☐ B ☐

Comments:

Q30 If the level 2 standard is used how do you think it should be applied;

a) On a broad local basis set out in local planning policy?

Or

b) On a development by development basis?

A ☐ B ☐

Comments:

Q31 Do you believe that there would be additional benefits to industry of integrating the proposed security standards in to the Building Regulations as 'regulated options'? Y/N

YES ☐ NO ☐

Comments:

Q32 If security standards are integrated in to the Building Regulations, would you

prefer that;

a) level 1 and level 2 become optional 'regulated options' for use by local authorities? Or

b) level 1 be required as a mandatory baseline for all properties with level 2 a regulated option for use by local authorities?

A ☐ B ☐

Comments:

Q33 Do you agree with the overall costs as set out in the accompanying impact assessment? Y/N.

If you do not agree, then do you have evidence to support alternative figures?

YES ☐ NO ☐

Comments:

Q34 Do you agree that level 1 security reflects current industry practice? Y/N.

If you do not agree, then do you have evidence to support an alternative view?

YES ☐ NO ☐

Comments:

Q35 Do you agree with the assumptions used to derive the extra over cost of Secured

By Design as set out? Y/N

If you do not agree, then do you have evidence to support alternative figures?

YES ☐ NO ☐

Comments:

Q36 Do you agree with the number of homes which incorporate Secured By Design standards that have been used in the accompanying impact assessment? Y/N.

If you do not agree, then do you have evidence to support alternative figures?

YES ☐ NO ☐

Comments:

Q37 Do you agree with the assumptions of the growth in the use of Secured By Design standards over the 10 years of the 'do nothing option' in the accompanying impact assessment? Y/N.

If you do not agree, then do you have evidence to support alternative figures?

YES ☐ NO ☐

Comments:

Q38 Do you agree with the assumptions for the 'take up' of the proposed security standards in the accompanying Impact Assessment? Y/N.

If you do not agree, then do you have an alternative estimate that can be supported by robust data?

YES ☐ NO ☐

Comments:

Q39 Do you agree with the unit costs as set out in the accompanying impact assessment for the "do nothing" and "option 2" alternatives? Y/N.

If you do not agree, please provide evidence to support alternative figures for us to include in the final impact assessment?

YES ☐ NO ☐

Comments:

Security – Technical questions

QA3.1 Are the performance requirements for the baseline security standard proposed by the working group pitched at the right level? Please indicate which of the options below you agree with.

- a) they go too far, and should be reduced
- b) they are about right
- c) they don't go far enough

A ☐ B ☐ C ☐

Comments:

QA3.2 If you do not entirely agree, (i.e. your answer is a) or c), what aspects should be different and why (please provide reasons for your answers, identifying the specific measure by reference number where possible).

Comments:

QA3.3 Are the performance requirements for the higher level of the security standards proposed by the working group pitched at the right level? Please indicate which of the options below you agree with.

- a) they go too far, and should be reduced
- b) they are about right
- c) they don't go far enough

A ☐ B ☐ C ☐

Comments:

QA3.4 If you do not entirely agree, (ie your answer is a) or c), what aspects should be different and why (please provide reasons for your answers, identifying the specific measure by reference number where possible).

Comments:

Chapter 4: Water efficiency

Q40 Do you agree a national water efficiency standard for all new homes should continue to be set out in the Building Regulations? Y/N.

YES ☒ NO ☐

Comments:

It remains necessary to have a minimum standard in Building Regulations.

Q41 Do you agree that standards should be set in terms of both the whole-house and fittings-based approaches? Y/N.

YES ☒ NO ☐

Comments:

Q42 Do you agree that the national minimum standard set in the Building Regulations should remain at the current Part G level? Y/N. (see also Question 43)

YES ☐ NO ☒

Comments:

See response to question 47.

Q43 Do you agree that there should be an additional local standard set at the proposed level? Y/N.

YES ☒ NO ☐

Comments:

See response to questions 44, 45 and 47.

Q44 Do you agree that no different or higher water efficiency standards should be able to be required? Y/N.

YES ☐ NO ☒

Comments:

There needs to be a higher standard for water efficiency than the current Building Regulations in some areas of the country, particularly for large scale developments which can benefit from economies of scale, either in relation to procurement of water efficient fixtures and fittings or through water recycling measures if that route is chosen.

General levels of water stress, particularly in the drier parts of the country in the east and south east, or in some locations where there are sensitive water environments and the requirements of the Water Framework Directive are relevant, make the ability to set higher water efficiency standards a necessary tool.

The ability to implement such standards through planning assists water companies' strategies to reduce water use whilst protecting environmental assets and enabling housing and employment growth.

Such water efficiency measures are a cost effective means in the long run of enabling housing and employment growth in areas suffering from water stress, as they can either prevent or postpone the long term need for the provision of new water resources.

Therefore the proposal in the consultation that high standards of water efficiency can no longer be required (code level 5/6, 80 litres per person per day) could hinder growth in some areas.

Q45 Would you prefer a single, tighter national baseline rather than the proposed

national limit plus local variation? Y/N.

YES ☒ NO ☐

Comments:

Since achieving code level 3/4, 105 l/p/d is so cheap as to be almost cost free (about £70 per dwelling) , a tighter national baseline would be welcomed as set out in the table in paragraph 202. The advantage of all locations achieving greater levels of water efficiency would be that there would be commensurate savings for cutomers in their water bills, carbon savings and greater resistance to drought. However, it will still be necessary to have a higher standard beyond this equivalent to code level 5/6 (80 lites per person per day) for those areas in which water stress is a significant issue (see response to questions 44 and 50).

Q46 Do you agree that local water efficiency standards should only be required to meet a clear need, following consultation as set out above and where it is part of a wider approach consistent with the local water undertaker's water resources management plan? Y/N.

YES ☒ NO ☐

Comments:

Please also see responses to questions 44 and 50. Evidence from Water Cycle Studies and/or Water Resources Management Plans should form part of the evidence base at an examination in public for such Local Plan policies.

Q47 Should there be any additional further restrictions/conditions? Y/N.

YES ☐ NO ☒

Comments:

See also responses to questions 44, 46 and 50. Demonstrating the need for higher standards of water efficiency beyond Building Regulations should continue to be part of the examination in public process for a Local Plan. There will remain a need in certain locations to require higher standards of water efficiency beyond those set out in paragraph 202 (code level 3/4). We therefore propose that in the case of water there

should either:

- be two national standards beyond the current Building Regulations of 120 l/p/d, the first at 105 l/p/d, the second at 80l/p/d;

or

- the current Building Regulation requirement of 120 l/p/d should be replaced by a 105 l/p/d requirement as this is so cheap and easy to achieve (approximately £70 per house) and would have benefits in all locations. The higher “national standard”, to be used in areas such as Greater Norwich where there is evidence it is necessary, should then be set a 80l/p/d. This would assist in promoting water efficiency as part of a wider package of measures in water stressed areas.

Q48 Do you agree with the unit costs as set out in the accompanying Impact Assessment for the “do nothing” and “option 2” alternatives? Y/N.

If you do not agree, please provide the evidence to support your alternative figures.

YES ☐ NO ☒

Comments:

We understand from conversations with staff at Waterwise that the costs of achieving code level 5/6 of £3,368 to £4,643 as set out on page 23 of the Impact Assessment are too high and that such levels can be achieved for about £1,500, based on the use of water efficient fixtures and fittings rather than water recycling, which is more expensive. Large scale water recycling measures on larger developments can also reduce costs. We request that these points be verified with Waterwise.

Q49 Do you agree with the number of homes which we estimate will incorporate the

proposed tighter water standard in the accompanying Impact Assessment? Y/N.

If you do not agree, please provide the evidence to support your alternative figures.

YES ☐ NO ☐

Comments:

We have no evidence on which to base a response to this point, though we are aware that there are currently a number of Local Plans, mainly covering water stressed areas in the east and south east of England, which promote water efficient development.

Q50 Do you currently require through planning that new homes are built to a higher standard of water efficiency than required by the Building Regulations through:

a) a more general requirement to build to Code Level 3 or above? Or

b) a water-specific planning requirement? And

c) are you likely to introduce or continue with a water-specific water efficiency standard (beyond the Building Regulations) in the future?

A ☐

B ☒

C ☐ YES ☒ NO ☐

Comments:

As a result of evidence in the Greater Norwich Water Cycle Study on the need for water efficiency in the area if the required housing and employment growth is to be provided for, policy 3 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (JCS) requires code level 5/6 (80 l/p/day) water efficiency measures in

new housing developments of over 500 dwellings from 2015. The policy also requires all housing development to meet code level 3/4 (105 l/p/d) for water only, with this element of the policy having been implemented since the adoption of the policy in 2011. The policy is supported by an Advice Note.

There was support from Natural England, the Environment Agency and Anglian Water for this approach at the examination in public into the JCS, with very little opposition from the development industry, there being a general understanding that in areas of water stress, water efficiency policies are necessary.

The recently published Anglian Water draft 2014 Water Resources Management Plan (WRMP) further justifies the JCS policy approach. It requires water efficiency measures in existing development in the Norwich area, as part of a wider package to reduce water use in the area. These also include leakage control measures. The provision of new sources of water supply will be required in the long term. The JCS policy approach clearly complements these measures. The effective implementation of the combined measures will postpone the long term need for investment in new water resources and may enable different, potentially lower cost, solutions to be implemented as technology progresses.

In addition to these measures, the draft 2014 WRMP includes a commitment to relocate the water abstraction point from the River Wensum between 2015 and 2020. This is required to enhance water quality in this Special Area of Conservation (SAC). Whilst this measure would be required whether there were housing and employment growth in the area or not, water efficiency in new development will help to reduce the amount of additional water resources required to make up for this sustainability reduction.

Water – Technical questions

QA4.1 Are the proposed performance requirements for the higher level of the water standard pitched at the right level? Please indicate which of the options below you agree with.

- a) it goes too far, and should be reduced
- b) it is about right
- c) it doesn't go far enough

A ☐ B ☐ C ☒

Comments:

Code level 5/6 standards of 80 litres per person per day are likely to be needed in some areas - see responses above.

QA4.2 If you do not entirely agree, (ie your answer is a) or c), what aspects should be different and why (please provide reasons for your answers, identifying the specific measure by reference number where possible).

Comments:

See responses above.

Chapter 5: Energy

Q51 The government considers that the right approach is that carbon and energy targets are only set in National Building Regulations and that no interim standard is needed. Do you agree? Y/N

If not, please provide reasons for your answer.

YES ☒ NO ☐

Comments:

We agree that once the zero carbon standard is introduced through Building Regulations in 2016, there will not be a need for any local Merton rule policies. If local authorities are able to continue to use such policies until 2016, there will be no need for an interim standard.

Q52 Are respondents content with the proposal in relation to each energy element of the Code for Sustainable Homes? Y/N.

If not, what are the reasons for wanting to retain elements? If you think some of these elements should be retained should they be incorporated within Building Regulations or set out as a nationally described standard. Please give your reasons.

YES ☐ NO ☐

Comments:

Q53 Do consultees agree with the number of homes we have estimated which currently have a renewable target and the costs associated with incorporating

such a target? Y/N.

YES ☐ NO ☐

Comments:

Q54 Do you agree with the unit costs for the code set out in the accompanying impact assessment for the “do nothing” and

“option 2” alternatives? Y/N.

If you do not agree, please provide the evidence to support your alternative figures

YES ☐ NO ☐

Comments:

Q55 Do you agree with the proportion of homes we have estimated will incorporate the Code and the Planning & Energy Act 2008 (aka Merton rule) over the next 10 years? Y/N.

If you do not agree, please provide the evidence to support your alternative

figures.

YES ☐ NO ☐

Comments:

Q56 What are your views on the future of the Planning and Energy Act 2008 ("Merton's Rule" type planning policies) in relation to the preferred Building Regulations only approach to energy standards?

Comments:

See response to question 51. All local authorities which have an adopted Merton rule type policy should be able to continue to implement those policies until 2016, when the proposed amendments to the Building Regulations to require zero carbon housing (with allowable solutions) will make the Merton rule policies redundant. The amendments to the Building Regulations made in 2013 do not raise standards sufficiently to make the Merton rule policy requirement redundant currently.

Chapter 6: Indoor environmental standards

Q57 Government is interested in understanding the extent to which daylighting in new homes is a problem, and the appetite for a daylighting design standard to be available to designers and local authorities.

a) Do you believe that new homes are not achieving a sufficient level of daylighting in habitable rooms? Y/ N. If so what evidence do you have that this is the case (please submit evidence as part of your consultation response)?

b) Do you think that it is desirable to consider having a national daylighting standard for use in the design of new homes? Y/N.

A) YES ☐ NO ☐

B) YES ☐ NO ☐

Comments:

Q58 Do you agree that a review of simple percentage based methodologies should be undertaken to help determine if such an approach is fit for purpose? Y/N.

If you have any relevant research or evidence please submit this as part of your consultation response.

YES ☐ NO ☐

Comments:

Q59 Do you agree that sunlighting should sit outside the scope of this review? Y/N.

YES ☐ NO ☐

Comments:

Q60 Do you agree that essential indoor air quality issues should be addressed through ongoing review of Part F (Ventilation) of the Building Regulations? Y/N.

YES ☒ NO ☐

Comments:

: Norwich City Council is promoting the use of Passivhaus principles to aid indoor air quality issues.

Chapter 7: Materials

Q61 Do you agree that materials standards are best left to the market to lead on? Y/N.

YES ☒ NO ☐

Comments:

Yes, as these are ever-changing

Chapter 8: Process and compliance

Q62 Which of the above options do you prefer (1, 2, or the hybrid approach)? Please provide reasons for your answer.

1 ☐ 2 ☐ Hybrid ☐

Comments:

Q63 Do you think that moving to a nationally consistent set of housing standards will deliver supply chain efficiencies to home builders? Y/N.

If yes, can you provide estimates and evidence of the level of efficiency that could be achieved?

YES ☐ NO ☐

Comments:

Q64 Do you think that moving to a nationally consistent set of housing standards could help reduce abortive or repeated costs during the construction stage of home building? Y/N.

If yes, can you provide estimates and evidence of the level of efficiency that could be achieved?

YES ☐ NO ☐

Comments: