

**NORTH DORSET LOCAL PLAN 2011 – 2026 PART 1
EXAMINATION**

**RESPONSE TO
HOUSING – OPTIONAL TECHNICAL STANDARDS**

May 2015

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1. Recommendations

1.1 The recommendations that are made as a result of this note are:

- Accessibility and wheelchair housing standards – No change
- Water efficiency standards – No Change
- Internal space standards – No Change

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2. Introduction

2.1 This statement is in response to a question asked by the Inspector on 27 March 2015 and the Inspector's questions raised during the examination in relation to Policies 3 and 24. .

2.2 The Inspector's question on 27 March 2015 was:

A written ministerial statement was made by Eric Pickles MP and published on 25th March 2015. It covers a wide range of issues intended to streamline the planning system, protect the environment, support economic growth and assist locally-led decision-making. Reference is made to a new system of housing standards.

It would be helpful if the Council could comment briefly on whether or not, in its view, the content of the Statement has any implications for the Local Plan Part 1 of which I should be aware.

2.3 The full Ministerial Statement can be viewed at the following web-link.

<https://www.gov.uk/government/speeches/planning-update-march-2015>

2.4 The Council has responded to all points relating to the Ministerial Statement in a separate note: 'INS014 NDDCC response to Inspectors Question 6' but has opted to consider in further detail the introduction of the 'Housing – Optional Technical Standards' in this separate note as there are cross cutting implications for multiple policies within the Local Plan that required a more in-depth review.

3. The Council's Response

Housing – Optional Technical Standards

- 3.1 The Government has created a new approach for the setting of technical standards for new housing. This rationalises the many differing existing standards into a simpler, streamlined system. The new system will comprise new additional optional Building Regulations on water and access, and a new national space standard referred to as “the new national technical standards”. This system complements the existing set of Building Regulations, which are mandatory.
- 3.2 The written ministerial statement sets out the Government's new national planning policy on the setting of technical standards for new dwellings. This statement should be taken into account in applying the National Planning Policy Framework (NPPF) and, in particular, the policies on local standards or requirements at paragraphs 95, 174, and 177, in both plan making and decision-taking.
- 3.3 Local planning authorities have the option to set additional technical requirements exceeding the minimum standards required by Building Regulations in respect of access and water, and an optional nationally described space standard. Local planning authorities will need to gather evidence to determine whether there is a need for additional standards in their area, and justify setting appropriate policies in their Local Plans.

Accessibility and wheelchair housing standards

- 3.4 The NPPF is clear that local planning authorities should plan to create safe, accessible environments and promote inclusion and community cohesion. This includes buildings and their surrounding spaces. Local planning authorities should take account of evidence that demonstrates a clear need for housing for people with specific housing needs and plan to meet this need.
- 3.5 The NPPF requires local planning authorities to have a clear understanding of housing needs in their area, including those for people with specific housing needs. The Framework provides guidance on the methodology that can be used to undertake the needs assessments.
- 3.6 Based on their housing needs assessment and other available datasets it is for local planning authorities to set out how they intend to approach demonstrating the need for Requirement M4(2) (accessible and adaptable dwellings), and / or M4(3) (wheelchair user dwellings) of the Building Regulations. There is a wide range of published official statistics and factors which local planning authorities can consider and take into account, including:

- the likely future need for housing for older and disabled people (including wheelchair user dwellings);
 - size, location, type and quality of dwellings needed to meet specifically evidenced needs (for example retirement homes, sheltered homes or care homes);
 - the accessibility and adaptability of existing housing stock;
 - how needs vary across different housing tenures; and
 - the overall impact on viability.
- 3.7 To assist local planning authorities in appraising this data the Government has produced a summary data sheet. This sets out in one place useful data and sources of further information which planning authorities can draw from to inform their assessments. It will reduce the time needed for undertaking the assessment and thereby avoid replicating some elements of the work.
- 3.8 Where a local planning authority adopts a policy to provide enhanced accessibility or adaptability they should do so only by reference to Requirement M4(2) and / or M4(3) of the optional requirements in the Building Regulations. They should clearly state in their Local Plan what proportion of new dwellings should comply with the requirements. There may be rare instances where an individual's needs are not met by the wheelchair accessible optional requirement.
- 3.9 Local Plan policies should also take into account site specific factors such as vulnerability to flooding, site topography and other circumstances, which may make a specific site less suitable for M4(2) and M4(3) compliant dwellings, particularly where step-free access cannot be achieved or is not viable. Where step-free access is not viable, neither of the Optional Requirements in Part M should be applied.
- 3.10 Part M of the Building Regulations makes a distinction between a wheelchair accessible dwelling (a home readily useable by a wheelchair user at the point of completion) and a wheelchair adaptable dwelling (a home that can be easily adapted to meet the needs of a household including wheelchair users).
- 3.11 Local Plan policies for wheelchair accessible homes should be applied only to those dwellings where the local authority is responsible for allocating or nominating a person to live in that dwelling.
- 3.12 The Building Regulations for accessible and adaptable or wheelchair user dwellings require that these types of dwelling should achieve step-free access. In setting policies requiring M4(2) and M4(3) compliant dwellings, local planning authorities will need to assess whether this has an impact on non-lift serviced multi-storey development in their local housing mix. Where step-free access in this type of development is not viable, neither of the Optional Requirements in Part M should be applied.

- 3.13 Where there is a very specific and clearly evidenced accessibility need which is outside of what is provided for by the wheelchair accessible standard, a local planning authority can have different requirements in order to meet that need. This should only be required to meet the needs of a specific individual and therefore should only be required of a home where a local authority allocation policy applies. Such a requirement would also be subject to viability considerations.
- 3.14 Approved Document M, volumes 1 – access to and use of dwellings; and 2 – access to and use of buildings other than dwellings - are available from the Planning Portal.
- 3.15 The North Dorset Local Plan (Part 1) has the objective to meet the District’s housing need by ensuring that housing is designed to support the changing needs of its occupants and users. To implement this objective, Policy 7 Delivering Homes states that the Council will seek to meet the needs of different groups in the community both through the provision of a suitable mix of market and affordable house sizes and will support the provision of age-restricted housing for the elderly and will usually seek to control its occupancy by planning condition or planning obligation.
- 3.16 A review of the Dorset Strategic Housing Market Assessment (SHMA) 2008 and its update in 2012, alongside the ‘Guide to Disability Data’, suggests that the proportion of people aged over 60 is likely to increase significantly over the next 20 years. The District’s ageing population will give rise to proposals for elderly persons’ accommodation, including sheltered accommodation, care homes and nursing homes.
- 3.17 The Council’s approach to older people is currently outlined in supporting text, paragraphs 5.48 – 5.52. Specific consideration of ‘People with Disabilities’ are considered at paragraph 5.53. In summary, the Council will also support the adaptation of existing properties or the provision of suitably designed new properties to enable elderly people to stay in their own homes or to be cared for at home, rather than requiring a care or residential home.
- 3.18 The SHMA 2008 noted that the most distinctive feature of the population across the Bournemouth, Dorset and Poole sub region is the high proportion of older people.
- “The 2006 ONS midyear population estimates show that 25% of the population are over retirement age, rising to 28% in the rural areas. The national average is just 18.8%. Over the last 10 years (1996 to 2006) there has been a significant increase in people aged 50-64 years, who in turn will reach retirement age over the next 15 years.”
- 3.19 The latest census (March 2011) indicates 22% of the North Dorset population is aged over 65. This equates to 14,799 persons from a total 68,583 persons. Further

analysis shows that 33% of households (9,592) are where the reference person is over the age of 65, against a total 28,670 households.

- 3.20 Data on long term health problems and disability suggests 4,896 residents have day to day activities that are 'limited a lot' and a further 7,123 persons are 'limited a little' by their health or disability.
- 3.21 Although there is some emerging evidence of an aging population in North Dorset that may warrant an additional accessibility standard, this evidence is currently considered insufficient to set a requirement for a proportion of the housing stock to achieve the optional M4(2) accessible and adaptable dwellings, and M4(3) wheelchair user compliant dwellings. The later requirement M4(3) would have needed to recognise that it only applies to dwellings where the local authority is responsible for allocating or nominating a person to live in that dwelling.

Water efficiency standards

- 3.22 In setting out how the planning system should contribute to the achievement of sustainable development, the NPPF and Guidance makes clear this includes planning to provide the high quality housing required to meet the needs of present and future generations, and helping to use natural resources prudently. The Framework's policies expect local planning authorities to adopt proactive strategies to adapt to climate change that take full account of water supply and demand considerations. Early engagement between local planning authorities and water companies can help ensure the necessary water infrastructure is put in place to support new development. Water supply guidance is available at paragraph 001, reference ID: 34-001-20140306.
- 3.23 National planning practice guidance encourages local planning authorities to consider whether a tighter water efficiency requirement for new homes is justified to help manage demand.
- 3.24 All new homes already have to meet the mandatory national standard set out in the Building Regulations (of 125 litres/person/day). Where there is a clear local need, local planning authorities can set out Local Plan policies requiring new dwellings to meet the tighter Building Regulations optional requirement of 110 litres/person/day.
- 3.25 It is for a local planning authority to establish a clear need based on existing sources of evidence, and through consultations with the local water and sewerage company, the Environment Agency and catchment partnerships. Consideration will be needed of the impact on viability and housing supply of such a requirement.
- 3.26 Primary sources of evidence which might support a tighter water efficiency standard for new dwellings are:

- The Environment Agency Water Stressed Areas Classification (2013) which identifies areas of serious water stress where household demand for water is (or is likely to be) a high proportion of the current effective rainfall available to meet that demand.
 - Water resource management plans produced by water companies
 - River Basin Management Plans - which describe the river basin district and the pressures faced by that the water environment. These include information on where water resources are contributing to a water body being classified as 'at risk' or 'probably at risk' of failing to achieve good ecological status, due to low flows or reduced water availability.
- 3.27 In addition to these primary data sources, locally specific evidence may also be available. Further information on the water efficiency standard is available from the Planning Portal.
- 3.28 Locally the North Dorset Local Plan (Part 1) has the objective to meet the challenge of climate change through ensuring the wise use of natural resources, particularly previously developed land and water. To implement this objective, Policy 3 Climate Change requires development to incorporate measures to reduce water consumption.
- 3.29 The Council has reviewed the Environment Agency: Water Stressed Areas Classification (2013); the Environment Agency / DEFRA: South West River Basin Management Plan (2011); the Wessex Water: Draft Drought Plan (2012); and the Wessex Water: Water Resource Management Plan (2014). The review confirms that North Dorset is not located in an area of high water stress. These collective plans do however recognise that water resource remains an issue for consideration within the South West region.
- 3.30 Given that all new homes already have to meet the mandatory national standard set out in the Building Regulations (of 125 litres/person/day) and the lack of identified localised water stress, it is proposed that the Government's mandatory national standard is used within the Local Plan.
- 3.31 The Local Plan supporting text and Policy 3 sets out an aspirational approach to water efficiency measures (Paragraphs 4.22 – 4.26) but the incorporation of these measures should now be set in the context of the new national standard.

Internal space standards

- 3.32 The NPPF says that local planning authorities should identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand. Where a local planning authority wishes to require an internal space standard in their Local Plan, it should only do so by reference to the Nationally Described Space Standard.

- 3.33 Where a need for internal space standards is identified, local planning authorities should provide justification for requiring internal space policies. Local planning authorities should take account of the following areas:
- **need** – evidence should be provided on the size and type of dwellings currently being built in the area, to ensure the impacts of adopting space standards can be properly assessed, for example, to consider any potential impact on meeting demand for starter homes.
 - **viability** – the impact of adopting the space standard should be considered as part of a plan’s viability assessment, with account taken of the impact of potentially larger dwellings on land supply. Local planning authorities will also need to consider impacts on affordability where a space standard is to be adopted.
 - **timing** – there may need to be a reasonable transitional period following adoption of a new policy on space standards to enable developers to factor the cost of space standards into future land acquisitions.
- 3.34 Unlike other aspects of the Housing Standards Review, the space standard has not been incorporated into the Building Regulations. Establishing compliance and any enforcement action therefore rests with the local planning authority.
- 3.35 The North Dorset Local Plan (Part 1) has the objective to meet the Districts Housing Needs by ensuring that the type, design and mix of housing reflects housing needs in up to date assessments, and housing is designed to support the changing needs of its occupants and users. In respect of space standards the Local Plan (Part 1) includes three separate policy criteria that have space implications.
- 3.36 Policy 24 Design states that developments should incorporate sufficient secure space to enable the efficient use of buildings. In residential developments, space will be required for cycle storage, laundry drying and for the storage of bins and recyclables above the following minimums.
- To encourage cycling to access local facilities, space should be provided for secure cycle storage in line with the standard set out in Policy 23 – Parking.
 - To facilitate a reduced-energy means of drying laundry, sufficient secure drying space should be provided in line with the standards set out in Figure 10.3. This drying space can either be provided externally or internally with appropriate ventilation.
 - Adequate space for the storage of recyclables and bins will be required in line with the latest guidelines produced by the Dorset Waste Partnership
- 3.37 Although each of these standards will have space implications for development none of the standards have implications for internal space and therefore do not contradict new government policy.

- 3.38 Due to the newly emerging nature of the space standards, the District Council has no evidence at this stage to justify the adoption of the National Space Standards. The Council is aware of this lack of evidence and is seeking to address this through the introduction of new monitoring indicators.
- 3.39 The Council's current development management approach has been to consider space standards on a case by case basis reflecting site constraints and commercial viability of property types. This remains the preferred mechanism until such time that evidence emerges that the National Space Standards can be justified.

4. Conclusion

- 4.1 The District Council has undertaken a review of the new 'Housing – Optional Technical Standards' but has not identified any changes to policy on the basis of insufficient locally derived evidence to justify higher accessibility and wheelchair, water efficiency or internal space standards.