

Matter 9: Development Management Policies**Building Healthy and Sustainable Communities****2. Space Standards**

Development Policy 2 of the emerging LPP2 seeks to introduce two new space standards as follows:

1. The Nationally Described Space Standards; and
2. Category 2 and 3 of the Building Regulations Approved Document M Part 2.

Our response to both is provided below.

Nationally Described Space Standards

The NPPG sets out clear criteria which must be satisfied in order to adopt the **optional** NDSSs over and above the requirements of Building Regulations. 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.
- viability – the impact of adopting the space standards should be considered as part of a plans' 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.

We do not believe that this level of assessment has been undertaken by the Council to underpin this policy for market housing. Certainly, we have not been able to identify anywhere in the LPP2's evidence base where this level of justification exists.

Background Paper 5 (Standards in New Homes) of Housing Delivery Strategy for South Oxfordshire and Vale of White Horse provides the Council's evidence base to demonstrate the need for the introduction of the standards.

The evidence base document only assesses the size of dwellings available for sale on the Rightmove website over a small timescale (January 2017) and one new housing development, located in Didcot, which is outside the Vale of White Horse. This falls short of the evidence required by the NPPG to demonstrate that there is a need for the standard to be introduced. This is most noticeably referenced in para. 3.7 of the Report, which outlines that:

"There is also some evidence to suggest new build properties are more likely to fall below minimum standards than those in the existing stock, but the sample size is small so it is difficult to draw firm conclusions."

And:

"WEc suggest South and Vale Councils monitor the GIA of individual homes in new schemes by requiring developers to report information on proposed dwelling mix in line with national space standards with a view to introducing space standards in their local planning documents." (para. 3.31)

Absent this information and a more complete picture of the housing market, it would appear that the Council's consultant did not consider the evidence existed for the introduction of the standard.

Moreover, we note that the Report concludes that:

"Evidence from the new homes on the market currently suggest that most homes on sale meet the new space standards, in relation to the internal floor area. However, there are some exceptions amongst 1 bedroom flat and 2 bedroom properties (flats and houses)" (para. 3.7 refers).

For market units the evidence suggested that there isn't the need to introduce the NDSS entirely. Indeed, the Report concluded that the main areas of concern related to 1 bedroom flat and 2-bedroom houses. This does not provide the justification for their introduction on all sizes of open market housing (para. 3.32 refers).

We note that the evidence suggests that larger properties could be incorporated into the standard easily as most developers are already meeting NDSS for those size properties. This again, fails short of the NPPG's requirements of identifying a need for the introduction of the optional standard. In fact, it demonstrates the complete opposite.

Customers of open market housing also have choice whether to buy a new home and the level of occupation within them. As demonstrated in the Council's evidence base document, there are a number of properties for re-sale that offer an alternative to new build properties and as the evidence suggests, people in open market housing also tend to under occupy their homes.

In any event, the Housing White Paper 'Fixing Our Broken Housing Market' (February 2017) outlines the Government's intention to review the NDSS. Specifically, the White Paper outlined that:

"The use of minimum space standards for new development is seen as an important tool in delivering quality family homes. However the Government is concerned that a one size fits all approach may not reflect the needs and aspirations of a wider range of households. For example, despite being highly desirable, many traditional mews houses could not be built under today's standards. We also want to make sure the standards do not rule out new approaches to meeting demand, building on the high quality compact living model of developers such as Pocket Homes. The Government will review the Nationally Described Space Standard to ensure greater local housing choice, while ensuring we avoid a race to the bottom in the size of homes on offer" (para. 1.55 refers).

And:

"Therefore we will review the Nationally Described Space Standard and how it is used in planning, to support greater local housing choice, while ensuring we avoid a race to the bottom in the size of homes on offer" (para. A.74 refers).

Consequently, the future of NDSS is far from certain.

On the basis of the limited evidence gathered by the Local Planning Authority and the uncertainty over whether the NDSS are to remain part of Government policy going forward, Development Policy 2 cannot be considered as being either justified or consistent with national planning policy. **Category 2 and 3 of the Building Regulations Approved Document M Part 2**

The NPPG sets out clear criteria which must be satisfied in order for the optional enhanced standards to be used as part of Local Plan policy.

Para. 006 Ref ID: 56-006-20150327 requires:

"The National Planning Policy Framework 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."

In terms of the establishing a methodology for understanding the housing needs of an area, the 'housing and development needs' section of the NPPG indicates that this should form part of the SHMA process. Para. 007 Ref ID: 56-007-20150327 outlines what evidence will be required by Local Planning Authorities to justify the higher accessible housing standards. It states that:

"Based on their housing needs assessment and other available datasets it will be 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.***
- ***the overall impact on viability."***

In terms of the tests above, we note the Council's evidence base does not satisfy all the necessary criteria. Specially, we note that:

- The SHMA identifies a net total need of for accommodation for the elderly of 2,371 dwellings (Table 75 refers) and an additional 10 units per annum for people with disabilities (Table 77 refers). Assuming schemes are delivered in a policy compliant manner (35% affordable housing), the proposed policy framework would deliver over 8,000 category M4(2) compliant houses. This is over three times higher than evidence would suggest is necessary, before category M4(3) requirements are factored in;
- Not all people in need will seek to move to a new house and will look at opportunities to adapt existing housing stock. Typically, under 5% of all house moves are to new build properties; and
- No consideration has been provided as to the location of new dwellings. Some of the allocations proposed could be located in rural or semi-rural locations. We have identified two allocations in the Part 2 Plan that are dependent on higher order settlements for services and facilities and clearly these locations would not be practical for such housing.

Consequently, for the reasons outlined above, Development Policy 2 cannot be considered as being positively prepared, justified or consistent with national policy.