

## BRECKLAND LOCAL PLAN EXAMINATION

### Matter 7 – Other housing types and related policies

#### Policy HOU10 – Technical Design Standards

Question 7.4 Are the Technical Design Standards for New Homes set out within Policy HOU10 justified and consistent with national policy?

Question 7.5 Is the Policy Supported by a robust assessment of the viability that includes all Plan policy costs?

Question 7.6 What is the Status of the Optional Technical Standards Topic Paper that has been referred to by the Council? Does it or should it form part of the examination?

The optional technical design standards were initially set out in a written ministerial statement and then subsequently in paragraphs 56-001 to 56-023 of Planning Practice Guidance. In the WMS the Government established the need for LPAs to justify the application of these optional standards stating:

*“the optional new national technical standards should only be required through any new Local Plan policies if they address a clearly evidenced need, and where their impact on viability has been considered, in accordance with the NPPG”.*

As such we do not consider the Council to have adequately justified the adoption of either the accessibility standards nor the Nationally Described Space Standards (NDSS) and the reasons for this are set out briefly below.

#### *Access standards*

Paragraph 56-007 of PPG requires local authorities to demonstrate the need for the optional technical standards for accessible and adaptable homes (part M4(2) of the Building Regulations) to be applied to new homes. The evidence required to support the adoption of these standards should include the likely future need for housing for older and disabled people, the accessibility and adaptability of existing stock, the different needs across tenure and the overall impact on viability. The Council have set out some evidence with regard to their growing numbers of older people and the highest number of people accessing disabled facilities grants amongst the Central Norfolk authorities. However, further evidence on the size, location and type of home needed to meet evidenced needs has not been considered, nor has the accessibility and adaptability of the existing stock or variation of needs across tenure been considered as is required by paragraph 56-007 of PPG. Outside of evidence on need PPG is also clear that LPAs

must consider the overall impact of adopting this standard on viability. The Council's Viability Study makes no reference to these optional accessibility standards and as such the Council cannot say what the impact of this policy, in combination with others in the plan, have an impact on viability.

### *Internal Space Standards*

If the Council wishes to adopt the NDSS this should only be done by applying the criteria set out in PPG which states in paragraph 56-020 that: *"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, viability and timing"*

**Need.** It is incumbent on the Council to provide a local assessment evidencing the specific case for Breckland which justifies the inclusion of the NDSS as a Local Plan policy. If it had been the Government's intention that generic statements justified their adoption then the logical solution would have been to incorporate the standards as mandatory via the Building Regulations which the Government has not done. The NDSS should only be introduced on a "need to have" rather than a "nice to have" basis. However, we could find no evidence presented by the Council that new buildings in the past have been built at below existing space standards and that this is a problem in Breckland. If there is no evidence for the adoption of this standard then it should not be adopted.

**Viability.** The impact on viability should be considered in particular an assessment of the cumulative impact of policy burdens. Whilst the Viability study mentions space standards it is not clear how these have informed the viability assessments. The requirement for the NDSS would reduce site yields or the number of units on a site. Therefore the amount of land needed to achieve the same number of units must be increased. The efficient use of land is less because development densities have been decreased. At the same time the infrastructure and regulatory burden on fewer units per site intensifies the challenge of meeting residual land values which determines whether or not land is released for development by a willing landowner especially in lower value areas and on brownfield sites. It may also undermine delivery of affordable housing at the same time as pushing additional families into affordable housing need because they can no longer afford to buy a NDSS compliant home. It is not clearly shown in the viability study that these issues have been considered fully and as such the policy has not been justified in the manner required by PPG.

**Timing.** The Council should take into consideration any adverse effects on delivery rates of sites included in the housing trajectory. The delivery rates on many sites will be predicated on market affordability at relevant price points of units and maximising absorption rates. An adverse impact on the affordability of starter home/first time buyer products may translate into reduced or slower delivery rates. As a consequence the Council should put forward proposals for transitional arrangements. The land deals underpinning the majority of identified sites will have been secured prior to any proposed introduction of NDSS. These sites should be allowed to move through the planning system before any proposed policy requirements are enforced. The NDSS should not be

applied to any outline or detailed approval prior to the specified date and any reserved matters applications should not be subject to the nationally described space standards.

Some of these concerns may be addressed in the Optional Technical Standards Topic Paper but we have not been able to locate this document.