

Bradford Local Plan

Core Strategy Examination

Matter 7B: Housing Delivery

**Further Statement on Policy HO9 Housing
Quality**

Date: 20th March 2015

Venue: Victoria Hall, Saltaire

- 1.1 This statement sets out the Council's position in response to the Inspector's question raised in relation to Matter 7B Housing Delivery in regards to housing standards in Policy HO9 and consistency with the Government's Housing Standards Review and latest National Planning Policy.

Background

- 1.2. Core Strategy Policy HO9 sets out the Council's approach to delivering high quality homes that meet the District's needs and sets out the quality of new housing that will be expected. The policy and supporting text includes reference to several housing standards including the Code for Sustainable Homes, Zero Carbon Housing, Building for Life 12 and Lifetime Homes.
- 1.3 On September 2014 the Government published a technical consultation document on the Housing Standards Review. This consultation set out the Government's proposed approach to consolidating housing standards and limiting planning authority's ability to impose technical standards beyond those set out in the Housing Standards Review. The consultation set out technical standards in relation to optional requirements on access and water and a new national space standard, which local planning authorities can apply through Local Plan policies.
- 1.4 On the 25th March 2015 the Government issued a written statement to Parliament setting out how these standards should be applied. This included reference to zero carbon homes and new national technical standards for housing including standards on water, access and a nationally described space standard.
- 1.5 This statement sets out that from the date the Deregulation Bill 2015 receives Royal Assent, local planning authorities should not set in their Local Plans any additional technical standards or requirements. This includes any policy requiring any level of the code for sustainable homes to be achieved by new development; as the Government has now withdrawn the code.
- 1.6 The optional 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 National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG).
- 1.7 The NPPG was updated on 27th March 2015 to set out the policy guidance in regards to the optional technical standards for housing. The implications of the latest changes to national planning policy on Core Strategy Policy HO9 Housing Quality are set out below.

Housing Design

- 2.1 Part A of Policy HO9 sets out that new housing should be high quality and achieve good design. Design quality will be determined through a Building for Life 12 Assessment.
- 2.2 NPPF paragraphs 56-58 state good design is a key aspect of sustainable development and that Local Plans should develop robust and comprehensive policies that set out the quality of development that will be expected for the area. The latest NPPG reaffirms the importance of good design and that good design is an integral part of sustainable development. The NPPG states that local planning authorities should secure design quality through the policies adopted in their local plans (Paragraph: 003 Reference ID: 26-003-20140306).
- 2.3 Building for Life 12 (BFL12) is the industry standard for the design of new housing development and is based on the NPPF in relation to achieving good design. BFL12 is designed to be used at all stages of the development process and to guide design related discussions with the local community, local authority and other stakeholders. The Council therefore considers that BFL12 is a key tool which should be used to support the design quality of major housing applications. The Housing Standards Review did not consider standards for assessing the overall design quality of housing developments and the NPPG on the new optional technical housing standards does not refer to achieving good quality design.
- 2.4 The Council therefore consider the requirement for residential developments over 10 units to be supported by a BFL12 assessment to provide the basis for considering the overall design quality of a scheme, is fully justified and consistent with the latest national planning policy and the Government's approach for achieving good design as set out in NPPF and NPPG.

Sustainable Housing Standards

- 3.1 Part B of Policy HO9 encourages new housing to meet the highest possible sustainable design and constructions standards and sets out that subject to feasibility and/or viability the minimum acceptable standards are:
 - Code for Sustainable Homes Level 4 from date of adoption
 - Zero Carbon Housing from 1st April 2016
- 3.2 NPPF paragraphs 93-95 set out that planning plays a key role in securing radical reductions in greenhouse gas emissions and that when setting a local requirement for a building's sustainability, planning authorities must do so in a way consistent with the Government's zero carbon building policy and adopt nationally described standards. In relation to this the latest NPPG states that local planning authorities need to take account of Government decisions on the Housing Standards Review.

- 3.3 The Housing Standards Review Technical Consultation 2014 paragraph 132 states that:

“As many of the requirements of the Code for Sustainable Homes will be consolidated into the Building Regulations, the Code will be wound down from the time the statement is made. From the date of the statement, therefore, new plan policies should not refer to the Code.”

- 3.4 The Government has published a written statement to Parliament on new technical housing standards. This states that as the Government has now withdrawn the Code for Sustainable Homes and that new Local Plans should not include any policy requiring any level of the code to be achieved by new development. The Council therefore consider the requirement in Criteria B for Code Level 4 from adoption is inconsistent with latest national planning policy. To ensure the Core Strategy is consistent with latest national planning policy the Council therefore propose to remove the reference to Code for Sustainable Homes Level 4.
- 3.5 The Government statement allows local planning authorities to continue to be able to set and apply policies in their Local Plans which require compliance with energy performance standards that exceed the energy requirements of Building Regulations until commencement of amendments to the Planning and Energy Act 2008 in the Deregulation Bill 2015. This is expected to happen alongside the introduction of zero carbon homes policy in 2016. The Government has stated that, from then, the energy performance requirements in Building Regulations will be set at a level equivalent to Code for Sustainable Homes Level 4.
- 3.6 Given that Policy HO9 requires new housing to meet the Zero Carbon Housing standard from April 2016 and viability issues identified in the District, the Council do not consider it necessary or appropriate to set a requirement for new homes to exceed energy requirements in the building regulations prior to 2016. The Council will however seek to support and encourage new residential development to achieve high standards of sustainable design and construction, which exceed national minimum requirements were possible. In addition the Council consider that Core Strategy should support the use of on site low carbon or renewable energy generation (where appropriate and feasible) to help meet the energy requirements of new housing development and reduce carbon emissions. This approach will support the Council’s carbon reduction targets and help development to use resources sustainably and reduce their environmental impact as set out in Core Strategy Strategic Core Policy 2 (SC2): Climate Change and Resource Use.

Accessible Housing Standards

- 4.1 Part C of Policy HO9 states that new homes should be designed to be accessible and easily adaptable. The supporting text sets out that larger sites of 10 dwellings or more will be expected to include a proportion of accessible homes as part of the overall housing mix.

- 4.2 NPPF paragraph 57 states that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings. The Government's written statement to Parliament sets out that new homes need to be high quality, accessible and sustainable. The Government's approach for the setting of technical standards for new housing includes two new additional optional building regulation standards for accessible homes. These are accessible and adaptable dwellings and wheelchair user dwellings.
- 4.3 The latest NPPG states that local planning authorities can require accessibility, adaptability and wheelchair standards for new dwellings. In doing so 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.
- 4.4 The latest NPPG (paragraph: 007 Reference ID: 56-007-20150327) 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 accessible and adaptable dwellings and / or wheelchair user dwellings. The key factors to consider include:
- housing need
 - the accessibility and adaptability of existing housing stock
 - impact on viability.
- 4.5 The Council considers that there is sufficient and robust evidence to justify the need for requiring accessible and adaptable homes in the Local Plan. In making this assessment the Council has had regard to the Strategic Housing Market Assessment (SHMA) (EB050) and SHMA Update 2013 (EB/052) in accordance with NPPF paragraph 159, and the District's Housing Strategy (PS/B001b(vii)) and Housing Strategy for the Over 50's (PS/B001b(ix)).
- 4.6 The SHMA Update (EB052) identifies that a major strategic challenge for the Council is to ensure a range of appropriate housing provision, adaptation and support for Bradford's older population. In terms of housing need the Council consider that the need for accessible homes is justified in relation to projected growth in older households and families as indicated in paragraphs 6.5 and 6.11 of the SHMA Update 2013 (EB052). The District's Housing Strategy (PS/B001b(vii)) and Housing Strategy for the over 50s (PS/B001b(ix)) clearly identify that the growth in the number of older people living in the District will be a key housing issue and providing homes to meet this need will be a key challenge.
- 4.7 In terms of existing housing stock the majority of the District's housing stock hasn't been designed with accessibility in mind (PS/B001b(ix), p.13). Across the District, many homes in the private sector are in poor condition, which is largely a reflection of the age of the housing in the District, with 40% built before 1919 (PS/B001b(vii), p.11). In addition

the predominant housing type in many inner-urban areas of the District is stone terrace, including around 10,000 back-to-backs. These houses are difficult to insulate and heat, and often have steep stairways and are therefore not easily accessible.

- 4.8 As household needs can change over time, many properties in the District are not considered suitable for disabled people or those with long-term health problems. As outlined in the SHMA Update (EB052) addressing poor stock condition in the private sector needs to be (and is) a key strategic priority for the Council. Providing homes that have the potential to meet people's needs throughout their lives and encouraging lifetime homes principles in the Local Plan are also key aims identified in the District's Housing Strategy (PS/B001b(vii), p.12).
- 4.9 Issues of the age and poor condition of many private sector homes in the District, identified in the Council's housing strategies and SHMA, clearly demonstrate the need for more accessible and adaptable dwellings to be delivered in the District as part of future housing growth.
- 4.10 In terms of viability, the Council has undertaken a Local Plan Economic Viability Assessment. The additional cost of meeting the Lifetime Homes standard has been tested in the Viability Assessment Update 2014, which notes that the impact is modest given the relatively small cost increase in percentage terms (EB046, paragraph 4.10.2). The new optional technical standard for accessible and adaptable homes is broadly equivalent to the Lifetime Homes standard. Larger sites of more than 10 dwellings will be expected to include a proportion of accessible homes as part of the overall housing mix. Given the modest impact identified in the viability assessment and that only a proportion of homes on larger sites will be required to meet higher accessibility standards, the Council consider the requirement is justified in viability terms. In addition the requirement is subject to feasibility and viability to ensure the policy does not impact on housing delivery in accordance with recommendations in the Local Plan Viability Assessment.
- 4.11 Overall it is considered that the requirement of larger sites to include a proportion of accessible homes is fully justified in terms of the key factors which the Council need to consider, as set out in the NPPG. The council therefore propose a main modification to include this requirement in Criteria C of Policy HO9.
- 4.12 The latest NPPG states planning authorities should clearly state in their Local Plan what proportion of new dwellings should comply with the requirements (Paragraph: 008 Reference ID: 56-008-20150327). The NPPG also states that Local Plan policies should take into account site specific factors such as vulnerability to flooding, the topography of the site or other circumstances which may make a specific site less suitable for accessible and adaptable and wheelchair user dwellings, particularly where step free access cannot be achieved.

- 4.13 The Council recognise that further work needs to be undertaken to inform what the proportion and breakdown of accessible homes should be. The Council intend to undertake further detailed work in this regard. It is proposed that the Housing Design Guide SPD should take account of this work and provide further guidance in relation to the proportion of accessible, adaptable and wheelchair user dwellings required in advance of any future adopted policy in the Local Plan.

Housing Space Standards

- 5.1 Part E of Policy HO9 states that new homes should provide suitable space standards appropriate to the type of home. The supporting text sets out that where feasible and /or viable the Council will expect new homes to meet the minimum internal floor areas as set out in paragraph 5.3.143 of the Core Strategy.
- 5.2 NPPF paragraph 50 states that local planning authorities should identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand. The Council consider the provision of sufficient living space within new homes is an important element of good housing design. Building to suitable space standards will ensure new homes provide sufficient space for everyday activities. Homes can also be used more flexibly and adapted more easily by their occupants to changing life circumstances.
- 5.3 The Government's written statement to Parliament sets out that the new national technical standards will include an optional nationally described space standard. The latest NPPG sets out that where a local planning authority wishes to require an internal space standard, they should only do so by reference in their Local Plan to the Nationally Described Space Standard (Paragraph: 018 Reference ID: 56-018-20150327). Where a need for internal space standards is identified, local planning authorities should provide justification for requiring internal space policies and in particular have regard to need, viability and timing.
- 5.4 The Council considers the inclusion of a policy in Core Strategy setting out that new homes should provide suitable space is consistent with the approach to technical housing standards in the Government's written statement to Parliament. However, the Council recognise that the minimum space standards set out in the supporting text to Policy HO9 (paragraph 5.3.143) are not consistent with the new nationally described space standard.
- 5.5 The Council considers the inclusion of a policy in the Core Strategy on space standards is justified and that the new nationally described space standard is the most appropriate standard to use to assess the suitability of proposed space standards of new homes. To be consistent with latest national planning policy the supporting text to Policy HO9 will need to be modified to refer to the latest Nationally Described Space Standard. The Council therefore propose to delete the minimum space standards set out in paragraph 5.3.143 of the Core Strategy and replace these with reference to the new national space

standard as the benchmark for assessing the suitability of the proposed space standards of new homes.

- 5.6 A policy on suitable space standards is considered justified in terms of need. If homes are to be sustainable in the long term, they must offer functional and adaptable spaces that meet the needs of households in the District including families, Black and Minority Ethnic (BAME) households, older people and residents with disabilities.
- 5.7 The Council have produced a SHMA in accordance with NPPF paragraph 159, to assess the housing needs of the District. The SHMA (EB050) identifies overcrowding as a key issue, particular in parts of the urban area of Bradford. This is often linked to the size of BAME households and reflects the need for larger properties. The Housing and Homeless Strategy also highlights the problem of overcrowding across parts of the District. The document reports that overcrowding has increased to nearly 10% of households in the District (PS/B001b(vii), p.8). The evidence base to the strategy reports that Census 2011 data suggests that overcrowding has increased from 2001.
- 5.8 The SHMA also identifies key groups which have particular housing requirements; these include families', older people and BAME households. The Council considers that the challenges and demographic trends identified in the SHMA and District's housing strategies mean that the Core Strategy needs to ensure new housing is high quality and sustainable and addresses the requirements of the District's population. The inclusion of a policy on suitable space standard will help ensure new homes provide sufficient space for everyday activities and help address needs of households in the District, in accordance with NPPF paragraph 50.
- 5.9 The Council recognise that further detailed work will need to be undertaken in advance of any policy requiring the nationally described space standard in the Local plan; particularly in regards to the impact on viability, affordability and the timing of introducing a policy as set out in the NPPG.
- 5.10 However, given the need to ensure future housing is sustainable and meets the needs of the District's growing population, the Council consider that in advance of any policy requiring the nationally described space standard in the Local plan, it is justified and appropriate to apply the nationally described space standard as a benchmark to assess the suitability of space standard of new homes. This will allow the Council to identify particularly small homes and require justification where relevant. This approach will also allow greater flexibility and site specific issues and viability to be taken into account, while still providing a mechanism for assessing the suitability of proposed space standards.

Conclusion

- 6.1 The Council consider that Policy HO9 is justified in the terms of both need and viability evidence. However, it is recognised that the Policy HO9 is not consistent with the latest NPPG in regards to references to the Code for Sustainable Homes and the minimum space standards set out in the supporting text. The Council therefore propose a main modification to Core Strategy Policy HO9 in relation to Criteria B, Criteria C and the supporting text to Criteria E to ensure the policy is consistent with latest national planning policy. These changes will ensure that Policy HO9 is consistent with the NPPF and NPPG, and will be effective in ensuring future housing growth in the District is high quality and sustainable and meets the current and future needs of the District's population.
- 6.2 To ensure consistency with latest National Planning Policy the Council propose main modifications to Policy HO9 and supporting text as set out below. The changes are outlined below (new text is indicated in underlined and **yellow highlight** and deleted text is struck through). It should be noted that the changes within this note relate solely to the issues raised above.

Proposed Modification to Policy HO9: Housing Quality

Policy HO9: Housing Quality

A. New housing development should be high quality and achieve good design.

B. The Council will encourage and support all-new housing residential developments to meet achieve the highest possible sustainable design and construction standards, which exceed the national minimum sustainable housing standards where possible. ~~Subject to feasibility and / or viability,~~ The minimum acceptable sustainable housing standards ~~with reference to the Code For Sustainable Homes or any national equivalent~~ will be:

- ~~• Code Level 4 from the date of adoption, and~~
- Zero Carbon Housing (or any national equivalent) from 1st April 2016**

C. Larger housing sites should include a proportion of new homes which are ~~should be~~ designed to be accessible and easily adaptable to support the changing needs of families and individuals over their lifetime, including older people and people with disabilities.

D. New development should provide private outdoor space for homes, unless site constraints make this clearly unfeasible and/or unviable.

E. New homes should be well laid out internally and should provide suitable space standards appropriate to the type of home. Rooms should receive adequate levels of daylight.

F. New development should provide adequate storage for bins, recycling and cycles. These should be located or designed in a way which is both convenient for residents and supports the quality of the street scene.

G. Specific guidance on housing quality and design on an area or site basis will be set out as necessary in the Allocations DPD, Bradford City Centre and Shipley & Canal Road AAPs and Neighbourhood Plans. Higher standards of sustainable design and construction may be required for certain sites or areas where it is feasible and viable to do so.

OUTCOMES	INDICATORS	TARGETS
Housing that is high quality and achieves good design	% of major housing schemes achieving no reds in Building for Life 12 Assessments	No planning permissions for a major housing scheme should achieve a 'red' rating against Building for Life 12 assessment
Housing that meets high standards of environmental performance as set out by Government	IND23(EV) % of new dwellings achieving Code Level 4 Operational	
Housing that is accessible and easily adaptable which caters for the needs of the district's growing population	% of new dwellings achieving Lifetime Homes Standard or any national equivalent <u>optional technical standards for accessible and adaptable dwellings and wheelchair user dwellings</u> Operational	

5.3.135. Policy HO9 will be implemented through the Development Management process and supported by guidance set out in the Housing Design Guide SPD. The Housing Design Guide will set out further guidance on how the requirements of Policy HO9 should be met.

5.3.136. Under Criterion A all residential schemes will be expected to be high quality and achieve good design. The design quality of schemes over 10 units will be determined through a Building for Life 12 Assessment (or any subsequent revised national standard). A well

designed scheme will perform well against all of the questions and the performance will be determined using a traffic light system of green, amber and red. In order to be considered good the scheme should achieve as many 'greens' as possible and avoid any reds unless clearly justified. Applicants for residential developments of over 10 units should submit their own evidenced Building for Life 12 assessment for consideration to form the basis for discussions on design quality

5.3.137. This criterion should be read in conjunction with the following policies in the plan which support the Building for Life Criteria: n Policy TR2 Parking Policy n Policy TR3 Public Transport, Cycling & Walking n Policy HO8 Housing Mix n Policy DS1 Achieving Good Design n Policy DS3 Urban Character n Policy DS4 Streets and movement n Policy DS5 Safe and inclusive places

5.3.138. Under Criterion B the council will encourage developers to bring forward proposals which meet the highest possible standards of sustainable **design and** construction. All new development should attain a high standard of sustainable construction in line with the prescribed national standards. ~~The council will encourage and support developments which exceed the national minimum standards. All new housing developments of 10 or more dwellings will be expected to meet the Code for Sustainable Homes Level 4, and From **the** 1st April 2016 all new housing **homes** must **should** meet the **Government's** Zero Carbon Homes standard or any national equivalent. If the proposed standards are below those set out in Policy HO9 then the onus will be on applicant to justify why development to these standards cannot be achieved.~~

5.3.139. The council will encourage and support developments which exceed the national minimum sustainable housing standards, particularly where proposals achieve energy efficiency standards that exceed the minimum energy requirements of building regulations. The council will support the use of on site renewable or low carbon energy generation, where appropriate and feasible, to help meet the energy requirements of the development and reduce carbon emissions.

~~5.3.139. This requirement will be assessed through evidence provided by the applicant that the scheme will achieve the standards set out in the policy (or any subsequent revised national standards). The evidence submitted by the applicant should enable easy assessment and applicants are encouraged to undertake a Design Stage Assessment of performance against the Code for Sustainable Homes. A post construction stage certificate confirming that the development has met the required standard will be required prior to occupation.~~

~~5.3.140. Under Criterion C **The council will encourage and support** all new homes should be **which are designed to provide enhanced accessibility or adaptability** designed to be accessible and easily~~

adaptable. This includes accessible and adaptable dwellings and wheelchair user dwellings, as set out in the government's optional technical requirements for housing. Where feasible and viable the council will encourage new housing to achieve In addition the council will support the Lifetime Homes Standard as a model for building accessible and adaptable homes.

5.3.141. Under Criteria C larger sites of over 10 dwellings or more will be expected to should include a proportion of accessible homes as part of the overall housing mix. This will be assessed through evidence provided by the applicant that a proportion of new homes on a site housing will achieves Lifetime Homes standards, the British Standards for Accessible Housing or any subsequent revised exceed the national minimum requirement for access. accessible housing standard. If these standards are not met, this should be clearly justified and the applicant should demonstrate how the development meets the requirements of Criterion C. In considering Criteria C regard will be had to local need and the viability and feasibility of delivering accessible homes on a particular site. Site specific factors such as vulnerability to flooding, the topography of the site or other circumstances which may make a site less suitable for accessible dwellings will also be taken into account, particularly where step free access cannot be achieved or is not viable.

5.3.142. The council intends to undertake further detailed work in regards to the requirement for accessible, adaptable and wheelchair user dwellings. The Housing Design Guide will take account of this work and provide further guidance in relation to the proportion of accessible, adaptable and wheelchair user dwellings required in advance of any adopted policy in the Local Plan.

5.3.143. 5.3.142. Criterion D relates to private outdoor space including gardens, balconies, patios and communal spaces. Spaces should be directly accessible from the home, secure, defensible and receive adequate sunlight.

5.3.144. The provision of sufficient living space within new homes is an important element of good housing design. Building to suitable space standards will ensure new homes provide sufficient space for everyday activities. Homes can also be used more flexibly and adapted more easily by their occupants to changing life circumstances.

5.3.145. 5.3.143. Under Criterion E new homes should provide suitable space standards encourages suitable space standards which will ensure new homes provide sufficient space for everyday activities. Homes can also be used more flexibly and adapted more easily by their occupants to changing life circumstances.

5.3.146. The Government has developed a national space standard to offer a consistent set of requirements with regard to the size of new homes. The overall objective of this national space standard is to

ensure that new homes are highly functional in terms of meeting typical day to day needs at a given level of occupation. The standard is intended to be a minimum standard which developers should exceed where possible.

5.3.147. For residential developments the council will apply the national space standard as a benchmark for assessing the suitability of the proposed space standards of new homes. This will allow particularly small homes to be identified, and where necessary, the council will seek to understand the reasons for any significant variation from the national space standard.

5.3.148. Subject to viability and /or feasibility the council will expect all new housing Where feasible and / or viable new homes should to meet at least the following minimum internal floor areas as set out in the Nationally Described Space Standard (or any subsequent national space standards) as follows:

- 1 Bed / 2 person dwellings 51 m²
- 2 Bed / 3 person dwellings 66m²
- 2 Bed / 4 person dwellings 77 m²
- 3 Bed / 5 person dwellings 93 m²
- 4 Bed / 6 person dwellings 106 m²

(Floor areas shall be measured in line with RIGS Gross Internal Floor Area)

5.3.149. 5.3.144. If the proposed space standards are below those set out in the nationally described space standard above then the onus will be on applicant to justify why development to these standards cannot be achieved.

5.3.150. The council intend to undertake further detailed work in regards to the impact of adopting the national space standard in the District in advance of any policy requirement in the Local Plan.

5.3.151. 5.3.145. Whilst new residential development should incorporate sufficient space in line with the identified standards, regard should also be had to the layout and function of units provided. Rooms will be expected to receive adequate levels of daylight and ventilation appropriate to their use.

5.3.152. 5.3.146. Criterion F seeks to ensure that suitable provision is made for the proper storage of waste in new homes. New development should provide external storage space for bins and recycling which is convenient and does not reduce the quality of the street scene. Cycle storage should be accessible and secure. Schemes should achieve a 'green' for Question 12 of Building for Life 12 to accord with this criterion.

5.3.153. ~~5.3.147.~~ Criterion G allows for further guidance on housing quality and design on an area or site basis to be set out as necessary in the Allocations DPD, Bradford City Centre and Shipley & Canal Road AAP's and Neighbourhood Plans. The nature of some sites and areas in terms of their location, viability and impact upon the environment, mean that higher standards of sustainable design and construction standards may be possible. Where appropriate higher levels of sustainable design and construction standards will be considered on specific sites or areas, where this is feasible and viable