

TONBRIDGE & MALLING BOROUGH COUNCIL
PLANNING and TRANSPORTATION ADVISORY BOARD

18 November 2014

Report of the Director of Planning, Housing and Environmental Health

Part 1- Public

Matters for Information

1 DCLG REVIEW OF HOUSING STANDARDS

To update Members on the Government's intentions with regard to both the Building Regulations and dwelling space standards.

1.1 The latest position

- 1.1.1 Members will recall that the Government carried out a consultation some time ago with regard to revising the way in which both the environmental characteristics of housing construction and dwelling space standards are to be considered.
- 1.1.2 Most aspects of that consultation involve changes to the Building Regulations which the Government indicates will be subject to legislative change in early 2015.
- 1.1.3 Disappointingly, the Government has now indicated that it does not intend to require the control of housing space standards by legislation. Instead, it has developed a set of "nationally described space standards" which can be applied through the planning system and will need to relate to all tenure types. The Government will not allow the use of alternative standards.
- 1.1.4 However such standards can only be adopted throughout the Local Plan making process and must be tested against DCLG criteria for local application (including viability appraisal). The guidance indicates the process for Local Plan adoption as follows:

"120. Should they wish to adopt a policy on space standards in their Local Plans, local authorities should assess and evidence the impact and effect of that policy on development in their local area. This might include;

- **need** – *evidence on the size and type of dwellings currently being built in their area to ensure that the impacts of adopting space standards can be properly assessed*
- **viability** – *impact of adopting the space standard is likely to form one part of their viability assessment taking into account the impact of potentially larger dwellings on land supply*

• **affordability** – given the need for a mix of housing types local authorities may need to consider and evidence how affordability will be maintained in the local housing market 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"

- 1.1.5 The DCLG intention is to publish a statement of policy intent expected to be early in the New Year. This will affect how the new national space standards may be applied and may require a review of how existing LDF policy, with regard to energy efficiency, is applied after the coming into force of the DCLG policy.
- 1.1.6 In some cases and at some locations in the Borough space standards in the design of new development has given rise to concern. In that context the intention of Government to address this issue was generally welcomed. However, the approach now being adopted places a significant burden on local planning authorities to provide evidence and justification for this approach against an increasingly difficult background where development viability has become a very central consideration.
- 1.1.7 A further report will be provided when the Government's specific intention on implementation is made clear in 2015. At that stage we will be better placed to judge how we might address this matter in the preparatory work for the local plan.

1.2 Legal Implications

- 1.2.1 None provided the appropriate processes are applied when these have been made clear.

1.3 Financial and Value for Money Considerations

- 1.3.1 None

1.4 Risk Assessment

- 1.4.1 Will be revealed once the Government has published its substantive policy

Background papers:

contact: Lindsay Pearson

Nil

Steve Humphrey
Director of Planning, Housing and Environmental Health