

7 November 2014

Department for Communities and
Local Government
2 Marsham St
Westminster
London SW1P 4DF, UK



Dear DCLG

Housing Standards Review: Technical Consultation

This is a response from the Chartered Institute of Housing to the Housing Standards Review: Technical Consultation. It follows the question numbering in the consultation paper.

Optional Requirements in Part M of the Building Regulations

Question 1. Do you think that the technical requirements for Category 1 – visitable dwellings are directly comparable to the technical requirements of the existing guidance in Sections 6 to 10 of Approved Document M (Access to and use of buildings)?

- a. Agree
- b. Mostly agree (please specify).
- c. Disagree (please specify)

[No response to this question. However, see response to question 18.](#)

Question 2. Do you think that the technical requirements of the proposed guidance for Category 2 – accessible and adaptable dwellings are correct?

- a. Agree
- b. Agree only in part
- c. Disagree

[No response to this question. However, see response to question 18.](#)

Question 3. Do you think that the technical requirements of the proposed guidance for Category 3 – wheelchair user dwellings are correct?

- a. Agree
- b. Agree only in part
- c. Disagree

[No response to this question. However, see response to question 18.](#)

Question 4. When do you think that the requirement for a dwellings to be wheelchair accessible (fitted out) should apply?

- a. Only where local authority allocation policies apply
- b. Across any tenure where a local authority believes this is necessary
- c. All wheelchair housing should be fully wheelchair accessible

Answer (b). However, see response to question 18.

Question 5. Which of the following best reflects your views?

- a. I agree with the extent to which accessibility requirements are required in the proposed standards.
- b. Where dwellings are required to be fully accessible they should include one or more of the following at point of fit out (select all that apply);
 - i) Shallow insulated sink in the kitchen
 - ii) Height adjustable worktops in kitchens
 - iii) Height adjustable sinks
 - iv) Plumbing which is installed to work with height adjustable sinks (but not the height adjustable equipment itself).
 - v) Other (please specify)

Answer (a) [i.e. don't include the above fittings as requirements, but design dwellings so they can be easily included].

Question 6. Should regulation 3 continue to apply in relation to material alterations of dwellings?

- a. Yes.
- b. No particular view.
- c. No.

Answer (c) [i.e. do not penalise people who take out wheelchair-accessible items such as lifts if they buy a wheelchair-accessible property but don't need these items]

Nationally described space standard

Question 7. Do you agree the Government's proposals for a single level of requirements in the nationally described space standard?

- a. Yes
- b. No particular view
- c. No

If you do not agree, please explain why and, if possible, suggest how it should be corrected

Yes, but see response to question 18.

Question 8. Do you agree with Governments proposals for internal storage?

- a. Yes
- c. No strong views
- d. No

Answer: yes.

Question 9. Do agree with the proposed requirements for bedrooms and bedroom sizes?

- a. Yes
- c. No strong views

d. No

Answer: yes.

Question 10. Do you agree with the Government's proposed approach to ceiling heights as set out in the proposed nationally described space standard?

- a. Yes
- b. No strong views
- c. No
- d. Other approach (please specify)

Answer: yes.

Question 11. Would you agree that Government should continue to explore the potential role of building control bodies in providing plan checking and type approval of the nationally described space standard?

- a. Yes
- b. No strong views
- c. No

Yes, but this strengthens the argument below that the standard should be a mandatory one, which would allow it to be incorporated in the Building Regulations and maintain the uniformity of approach to implementation which government has sought on the other standards under review.

Question 12. How do you think on site compliance with space standards would best be checked?

- a. At individual local planning authority discretion
- b. Checking by the building control body providing plan checks
- c. Through conditions requiring the relevant Gross Internal Areas to be published as part of the property sales particulars.
- d. By another approach (please specify).

See response to question 11. This dilemma would not arise if the space standards were to be included in the Building Regulations.

Security

Question 13: The Government is minded to implement the security standard as a national mandatory requirement. Do you agree with this approach?

- a) Yes.
- b) No.

Answer: yes.

Water

Question 14 - Are the proposed changes to Approved Document G technically correct?

- a). Yes

- b). No particular view
- c). No

No response.

Waste storage

Question 15. - Do you agree with the proposed changes to reinforce the importance of good design for external waste storage?

- a). Yes
- b). No particular view
- c). No

Answer: yes.

Question 16.- Do you agree with the proposed changes to reinforce that the provisions relate equally to where dwellings are created through a material change of use?

- a). Yes
- b). No particular view
- c). No

Answer: yes.

Question 17. - Do you agree with the proposed technical changes to provide clarification of existing requirements?

- a). Yes
- b). No particular view
- c). No

Answer: yes.

Optional requirements

Question 18. Do you agree with the Governments proposed approach as to how the use of optional requirements and nationally described space standard should be taken forward?

- a) Yes
- b) No strong views
- c) No

If you do not agree, please specify why.

Answer: no.

1. CIH is very concerned that the space standard will only be optional and dependent on its inclusion in local plans, whose coverage as yet is well below 100%. The optional approach runs counter to the government's own argument that a consistent standard is preferable and that the standard proposed is based on industry views. It also runs counter to the majority view in the consultation (only building industry respondents supported the government line, and of these one third still preferred a set standard). Given that this is the case, and given widespread concerns (also expressed by ministers) that newly built homes are

too small, then the standard should apply nationally and not be dependent on its inclusion in local plans.

2. A related concern is standards for affordable housing. Without the protection of the Housing Quality Indicators, bidders are now only required to benchmark for internal space. Local authorities cannot now vary, or add to, the new standards; this means that features that are useful but not always practical, such as the provision of two lifts and covered parking for wheelchair housing, will now have to be specifically instructed by clients or offered voluntarily by developers. Affordable housing delivered through Section 106 is particularly vulnerable, especially if an LA chooses not to opt-in to space standards.

3. CIH is also very concerned at the missed opportunity to opt for the Lifetime Homes standard as a mandatory standard, as we urged in response to the original consultation and was supported by many other responses. Given the relatively small difference in costs, certainly compared with high costs of retrofitting properties to make them accessible, adopting the Lifetime Homes standard as mandatory makes very good sense. Age UK's report *Housing in Later Life* demonstrated the savings in health care costs that can be achieved by having more accessible homes. It is already forecast that output of homes to this standard will soon reach 45% of the total. This approach would also be compatible with the adoption of the Nationally Described Space Standard as a mandatory standard, as we suggest above.

4. Lack of wheelchair access in tenures other than social housing is one of the contributory factors to so many people using wheelchairs having to turn to the social sector, even if they have the potential/ capacity to fund their own housing - so CIH would argue that LAs should be able, where need is identified, to require wheelchair housing or as an absolute minimum, the easily adaptable standard, across tenures.

5. The combined effect of the space standard and the level 2 accessibility standard being voluntary could well be a net reduction in homes built to higher standards. This would be an extraordinary and very perverse outcome from the Housing Standards Review.

Implementation

Question 19. - Do you agree the proposed approach will be sufficient to ensure local planning authorities and neighbourhood planning qualifying bodies in future only set policies requiring compliance with the optional requirements and nationally described space standard to address a clear and evidenced need? If not, please indicate why.

- a) Yes
- b) No

No. Since optional standards can only be set in Local Plans, there is no provision for communities wanting higher standards (e.g. of accessibility) to be able to secure them (since they are not within the remit of Neighbourhood Plans). Also, to include optional requirements in Local Plans they must meet a viability test.

Unless clear guidance is given that the optional standards can be freely adopted, this in itself may deter authorities from using them or make them open to challenge locally.

Question 20 – Do the proposed arrangements provide the correct balance between allowing time for developers and local authorities to adapt to the new regime whilst delivering benefits as quickly as is reasonable? If not, please indicate why.

- a) Yes
- b) No

No response.

There remains uncertainty about some aspects covered in the standards review and whether these can now be prescribed by local planning authorities. For example: can an LA still impose standards for daylight, overheating, sustainability of construction materials or cycle storage?