

Examination of the Basingstoke and Deane Local Plan (2011 to 2029)

MF10 - Statement of Common Ground between Basingstoke and Deane Borough Council and Home Builders Federation regarding Enhanced Accessibility and Adaptability Standards

Introduction

1. The purpose of this Statement of Common Ground is to identify areas of agreement between the Local Planning Authority (LPA) and the Home Builders Federation (HBF). This statement seeks to agree policy wording about enhanced accessibility standards with specific reference to the Optional Technical Standards for accessibility and wheelchair housing.
2. The Planning Practice Guidance allows local authorities to set policies seeking enhanced accessibility standards where they can demonstrate evidence of need and the impact on viability. Following the Government's Housing Standards Review, national policy has been amended so that only certain optional technical standards can be applied to housing and this is implemented through optional Building Regulations. The optional technical standards for access are set out in Building Regulations Part M4(2) – accessible and adaptable dwellings and Part M4(3) – wheelchair user dwellings. The PPG states:

“Where a local planning authority adopts a policy to provide enhanced accessibility or adaptability they should do so only by reference to Requirement M4(2) and / or M4(3) of the optional requirements in the Building Regulations. They should clearly state in their Local Plan what proportion of new dwellings should comply with the requirements.” (ID: 56-008)
3. The Submission Local Plan policy on housing mix (policy CN3) seeks to “provide adaptable housing to enable people to stay in their homes as their needs change.” Paragraph 5.27 states that “there is an argument for homes with higher levels of accessibility in some circumstances (Lifetime homes and in some cases Wheelchair accessible housing standards).” The council's previous reference to Lifetime Homes is no longer relevant because the council may only refer to the requirements of the Building Regulations. However, the Lifetime Homes standard is similar to Part M4(2) – accessible and adaptable dwellings.
4. Part M4(3) wheelchair user dwellings can be either wheelchair *accessible* (a home readily useable by a wheelchair user) or wheelchair *adaptable* (a home that can be easily adapted to meet the needs of wheelchair users). The NPPG specifies that “Local Plan policies for wheelchair accessible homes should only be applied to those dwellings where the local authority is responsible for

allocating or nominating a person to live in that dwelling”. In effect, this means that wheelchair accessible dwellings can only be sought on the affordable housing element of a development, while wheelchair adaptable dwellings could be sought from market housing.

5. The HBF and the council agree that the Local Plan should set out more clearly what is required by reference to Requirement M4(2) and / or M4(3).

The Proportion and the Requirement

6. Within the Basingstoke and Deane Viability Study (November 2013) (ref HO10), the residential development assumptions include 15% of new homes being built to the Lifetime Homes standard (page 17). At the time the viability study was undertaken, the cost of this was assumed to be £2,100 per dwelling (page 93). The Lifetime Homes standard has now been replaced with requirement M4(2) which fulfils the same broad aims. The cost of achieving M4(2) is lower than Lifetime Homes, according to the Impact Assessment of the Government’s Housing Standards Review (EC Harris, September 2014). The council therefore considers that the costs assumed in the viability study are robust and Part M4(2) – accessible and adaptable dwellings could viably be delivered on 15% of new dwellings.
7. The delivery of homes to meet the standard in Building Regulations Part M4(3) – wheelchair user dwellings (whether wheelchair accessible or adaptable) will incur significantly higher costs than part M4(2) – accessible and adaptable dwellings. The council has not factored these costs into the viability and, as such, will not be seeking to require homes built to this standard through the Local Plan. The council will support applications that incorporate wheelchair accessible or adaptable dwellings, but there is no policy requirement to provide a proportion of dwellings built to the standard in part M4(3).

Proposed Modifications to the Local Plan

8. The council will require 15% of all dwellings to meet Requirement M4(2) across all tenures. This means that 15% of the market homes and 15% of the affordable homes should meet the standard. Policy CN3 – Housing Mix for Market Housing and policy CN1 – Affordable Housing will both need to be amended to ensure that 15% of both market and affordable homes meet these higher accessibility standards. The proposed amendments to policy CN3 and its supporting text are set out in appendix 1 and the proposed amendments to policy CN1 and its supporting text are set out in appendix 2.

Conclusion

9. It is common ground between the LPA and the HBF that:

- Lifetime Homes is a construction standard that can no longer be sought through Local Plans.
- The Government will permit local planning authorities to adopt a policy to provide enhanced accessibility or adaptability by reference to Requirement M4(2) and / or M4(3) of the optional requirements in the Building Regulations.
- The council has viability assessed the impact of 15% of dwellings meeting the Lifetime Homes standard. The cost of achieving M4(2) is similar to the cost of Lifetime Homes. Therefore, the council has made a case for 15% of homes to meet requirement M4(2).
- 15% of the market homes and 15% of the affordable homes should meet standard M4(2).
- The modifications proposed to policies CN3 and CN1 (see appendix 1 and 2) make the policies sound.

There are no areas of disagreement between the LPA and HBF on this issue.

Appendix 1 – Changes proposed to policy CN3 and supporting text

Changes proposed on 2 October in red text

Further changes arising during EiP in purple

Policy CN3 – Housing Mix for Market Housing

Development will be permitted where the mix of market housing:

- a) Includes a range of house type¹, size, price and tenure to address local requirements; and
- b) Is appropriate to the size, location and characteristics of the site; and
- c) Is appropriate to the established character and density of the neighbourhood; and
- d) Provides 15% accessible and adaptable homes² housing to enable people to stay in their homes as their needs change.

Development proposals will be required to provide evidence, proportionate to the scale of development proposed, to justify the mix of housing proposed.

- 5.19 The implementation of this policy applies to market housing only. Policy CN1 relates to the provision of affordable housing.
- 5.20 A mixed community requires a variety of housing, particularly in terms of tenure (including private rented housing) and price, to provide homes for different households such as families with children, couples, single person households and older people. The Council recognises that to promote sustainable communities there must be a mix of types of housing that are provided in any given development or location. The council will seek to balance communities where particular house sizes or tenures have become prevalent beyond an evidenced need.
- 5.21 Evidence indicates that a mix of market housing required to meet future demand varies across the borough. A number of studies have been carried out to assess future housing requirements.- The [Strategic Housing Market Assessment](#) (SHMA), [Neighbourhood³ Housing Stock Analysis](#), [Older Person's Survey](#) and [Rural Housing Survey](#) Provide information on the mix of development required in urban and rural location. This evidence is valuable in determining the local housing picture and as a consequence which types and tenures of housing are required.

¹ Including for older people, bungalows and suitable accommodation for downsizing with small gardens or outdoor space

² [Accessible and adaptable homes are those that meet requirement M4\(2\) of the Building Regulations 2015 or any subsequent government standard](#)

³ Oakley, Winklebury and ~~Reekskin~~ [Rooksdown](#), Buckskin, Kempshott and Fiveways, Hatch Warren and Beggarwood Lane, Brighton Hill, South Ham, Cranbourne, Brookvale and Kingsfurlong, Popley, Southview and Oakridge, Central. Eastrop, Black Dam, Lychpit and Binfield, Old Basing and Chineham.

- 5.22 Developers will need to demonstrate that they have assessed a range of sources of housing evidence, including the SHMA and suitable monitoring reports, in the development of their proposals. Local stakeholders, including town and parish councils, and community associations can provide additional targeted information through the pre-application process that assists an applicant to submit a locally relevant scheme.
- 5.23 As well as seeking to provide opportunities for local people to rent or buy a home, it is also important for a variety of housing types and sizes (including plots for self-build) to be provided to help achieve balanced and sustainable communities. It will be more appropriate for schemes with a higher proportion of smaller units to be provided on sites in or adjoining the centres of settlements with a good or a reasonable range of services and public transport provision. However, the appropriate range of housing for any scheme will need to take into account the physical characteristics of the site, the character of the area, community context, local housing need and existing provision.
- 5.24 Demographic projections show an ageing population, resulting in an increasing need for housing that meets the needs of older persons, including independent living, sheltered housing, Extra Care accommodation and care homes. This is addressed further under Policy CN4.
- 5.25 In the borough a significant and increasing proportion of older people are private owner-occupiers living in mainstream housing (76 per cent of the population aged 60+ years in 2011) It is evident that most people will choose to remain in their homes provided they are able to do so. The Council recognises these aspirations and will encourage more new homes that are adaptable to enable people to remain in their homes as long as possible. Appropriate 'downsizing' accommodation, including bungalows, with small gardens or outdoor space will be supported.
- 5.26 There is a direct correlation between age and disability, and whilst only a small proportion of these older households will become full time wheelchair users, many will experience some form of permanent or temporary disability as they get older. The needs of wheelchair users are often impossible to meet in general needs housing and invariably require significantly increased circulation and activity spaces within and between rooms, particularly in bathrooms and kitchens. It is widely recognised that wheelchair accessible housing standards are the minimum need to ensure independent living on a day to day basis for many wheelchair users.
- 5.27 Given the impact of the ageing population, the specific needs of some disabled people and local evidence, there is ~~an argument a requirement~~ for homes with higher levels of accessibility ~~and adaptability in some circumstances (Lifetime homes and in some cases Wheelchair accessible housing standards)~~. The Council will seek an appropriate level of provision proportionate to local needs which are likely to vary from locality to locality in line with current and future demographic profiles.

5.28 Development proposals will be required to provide evidence to justify the mix of housing proposed. The mix on a site should take account of the following factors:

- demographics of the local area and associated housing requirements
- the characteristics of the site and local area
- any masterplanning or development brief for the site
- any viability considerations.

5.29 The council recognises that for smaller developments (typically those of 3 or less units) it may not be appropriate to meet the requirements of the policy.

Implementation and Monitoring

The policy will be implemented by:

- advice on and the determination of planning applications for residential development.
- [use of planning conditions and Building Regulations](#)
- the undertaking of housing surveys.

The policy will be monitored by:

- annual monitoring of housing types, sizes and tenures of housing completions.

Appendix 2 – Changes proposed to policy CN1 Affordable Housing and supporting text

Changes proposed on 2 October in red text

Further changes arising during EiP in purple

Policy CN1 – Affordable Housing

The council will require 40% affordable housing on all market housing sites. On-site provision will be expected for 5 or more net residential units. In exceptional circumstances off-site provision or financial contributions of equivalent value will be accepted.

Development proposals of less than 5 net residential units will be required to pay financial contributions of equivalent value towards the provision of affordable housing in the borough.

The tenure split of affordable homes will be 70% rented and 30% intermediate products.

15% of affordable homes should meet enhanced accessibility or adaptability standards⁴ to enable people to stay in their homes as their needs change.

In seeking affordable housing provision the council will have regard to the current viability of developments including land values and other development costs.

The applicant will be required to submit an open book viability assessment where schemes do not meet the above policy requirements. In such cases the council will commission an independent review of the viability study, for which the applicant will bear the cost. Such proposals will only be acceptable where the viability case is accepted by the local planning authority and the approach contributes towards creating mixed and balanced communities.

- 5.5 The provision of affordable housing to meet required needs is a key priority for the council in order to ensure that those households in need are able to access housing in the borough. The council's Housing Strategy sets targets in respect of affordable housing provision.
- 5.6 The affordable homes provided must be distributed within the development to support the creation of integrated and mixed communities, however, practical implementation and management issues will be considered when taking into account the location of the affordable homes.

⁴ Enhanced accessibility and adaptability standards are achieved by meeting requirement M4(2) or M4(3) of the Building Regulations 2015, or subsequent government standard

- 5.7 The council's Housing Register and the assessment of housing need undertaken as part of the Strategic Housing Market Assessment (SHMA) and subsequent work, demonstrates that there is a need to maximise the delivery of affordable housing in the borough.

In order to support the ageing population and the specific needs of some disabled people, the council expects 15% of affordable homes to be accessible and adaptable by meeting requirement M4(2) of the Building Regulations. The council may support proposals for wheelchair adaptable or wheelchair accessible affordable homes that meet requirement M4(3) in lieu of M4(2).

- 5.8 The council acknowledges that the viability of schemes varies over time and with location, ~~so and that given the current problems in the housing market with financial institutions unwilling to lend to developers the council is of the view that in the short term a more cautious approach should be taken to viability and as a result~~ the amount of affordable housing sought will be negotiated based on economic viability. ~~However, and~~ the policy ~~still~~ represents the starting point for discussions.
- 5.9 With the clear evidence of high levels of need for affordable housing in the borough, the policy requires all open market developments creating additional dwellings, regardless of size and location, to make a contribution towards the provision of affordable housing. The council will support schemes for 100 per cent affordable housing, where appropriate.
- 5.10 Although seeking affordable housing from all developments regardless of size, the policy has regard to the practicalities of provision on small sites. In exceptional circumstances and where justified, the council will accept off-site provision or a financial contribution of equivalent value in lieu of on-site provision towards the delivery of affordable housing elsewhere in the local area or borough to meet the wider affordable housing need. The council may consider the following to be acceptable:
- it would be impracticable for a registered provider to manage on-site affordable housing;
 - bringing existing housing stock back into use for affordable housing;
 - if the alternative site being proposed for development would be closer to local facilities;
 - where the off-site provision would lead to a significantly larger number of affordable houses being provided on the alternative site, without compromising the need for mixed and sustainable communities.
- 5.11 While developments that meet the thresholds will be expected to make provision on-site, for sites below the thresholds, provision will be in the form of financial contributions of equivalent value towards provision elsewhere in the local area. Where the calculation does not generate a requirement for a whole unit, the fractional contribution will also be towards provision off-site.

- 5.12 The precise scale, type and form of provision on each site will be the subject of negotiation. However, where the proportion of affordable housing required on-site does not amount to a whole number the council will seek provision of the nearest round number of affordable homes on-site.

Implementation and Monitoring

The policy will be implemented by:

- working in partnership with the Housing Department, Housing Associations, registered providers and the Homes and Communities Agency or relevant bodies to ensure the delivery of homes to meet needs
- the undertaking of rural housing needs surveys
- tenure needs will be reviewed annually
- use of planning conditions and Building Regulations
- a Planning Obligations Supplementary Planning Document (SPD) which will set out how the financial contributions are to be calculated

The policy will be monitored by:

- assessing affordable housing completions and housing delivery through annual monitoring
- assessing delivery against the council's Housing Strategy targets.