



# **EVIDENCE PAPER: OPTIONAL TECHNICAL STANDARDS**

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EVIDENCE BASE DOCUMENT  
CONSULTATION DRAFT LOCAL PLAN 2018-2033  
(Regulation 18)



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# 1. Introduction

- 1.1. This evidence document has been prepared to support the emerging Future Mole Valley Local Plan (2018-2033) during the Regulation 18 public consultation. It provides a review of national planning policy and guidance as well as background evidence to support the requirement for optional national technical standards.
- 1.2. The paper focuses on the need and justification for applying the optional national technical standards to new residential development proposals within the District of Mole Valley, using the evidence within this paper to inform the policy approach within the Future Mole Valley Local Plan.

## National Policy

- 1.3. In March 2015 a Written Ministerial Statement<sup>1</sup> introduced a new approach for the setting of technical standards for new housing, including giving local planning authorities the option to set additional technical requirements exceeding the minimum standards required by Building Regulations in respect of access and water, and an optional nationally described space standard. Until that point, some Councils set their own local standards for certain aspects of construction, often including standards such as Lifetime Homes, which focussed on ensuring that homes were adaptable to people's changing accessibility needs. Currently, Mole Valley District Council's (MVDC) Core Strategy<sup>2</sup> (2009) policy CS3 'Balancing Housing Provision' encourages new dwellings to include Lifetime Homes design principles within their design.
- 1.4. It was decided by the Government that there should be a single set of national standards. The rationale behind this was to provide a simpler, streamlined and consistent nationwide system intended to reduce burdens on developers and to introduce certainty, helping to bring forward residential development.
- 1.5. The optional national technical standards on access, water efficiency and internal space are summarised as follows:
  - Accessible and adaptable dwellings: optional standards to provide homes which are accessible and adaptable for those with reduced mobility as well as a higher standard for homes which meet, or are able to be adapted to meet, the needs of wheelchair users;
  - Water efficiency: an optional tighter water efficiency standard of 110 litres/person/day to replace a mandatory standard of 125 litres/person/day;
  - Internal space: optional requirement for new dwellings to provide minimum gross internal floor areas in relation to dwelling type, number of bedrooms, number of occupants, size of bedrooms and ceiling heights.

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<sup>1</sup> Written Ministerial Statement (March 2015): <https://www.gov.uk/government/speeches/planning-update-march-2015>

<sup>2</sup> The Mole Valley Local Development Framework Core Strategy (adopted 2009): [http://www.planvu.co.uk/mvdc/contents\\_written\\_cs.htm](http://www.planvu.co.uk/mvdc/contents_written_cs.htm)

- 1.6. The Government confirmed that where local planning authorities choose to require the optional national technical standards, they can only make reference to the national standards through planning policies within their Local Plans. As such, there is no flexibility around the contents of the optional standards. Additionally, local planning authorities can only seek the optional standards where this is justified by evidence of need and the impact on viability has been assessed.
- 1.7. The Government considered that the appropriate mechanism for regulating construction standards was the Building Regulations regime, which operates independently of the planning system. Both the access and water efficiency standards are incorporated into the Building Regulations. However, the internal space standard is an exception and therefore the responsibility for establishing compliance and any enforcement action rests with the local planning authority.

## 2. Accessibility Standards

### Background

- 2.1. National Planning Policy<sup>3</sup> advises that in order to meet future housing needs, local planning authorities should seek to address the needs of different groups within their communities, including older people and those with disabilities.
- 2.2. Each of the accessibility requirements are covered in the Building Regulations (Part M, 2015 edition incorporating 2016 amendments)<sup>4</sup>. The optional accessibility requirements are summarised below:

**M4(2): Category 2 – Accessible and adaptable dwellings** must be designed to enable most people to access and use the dwellings and incorporate features which:

- a) Make it potentially suitable for a wide range of occupants, including older people, those with reduced mobility and some wheelchair users; and
- b) Allow adaptation of the dwelling to meet the changing needs of occupants over time.

**M4(3): Category 3 – Wheelchair user dwellings** include two different types, as follows:

- a) Wheelchair adaptable dwellings which must be designed to allow simple adaptation of the dwelling to meet the needs of occupants who use wheelchairs; and
  - b) Wheelchair accessible dwellings which must be designed and built with the necessary features/adaptations included to enable them to meet the needs of occupants who use wheelchairs at the point of completion.
- 2.3. M4(1) Category 1 – Visitable dwellings is a mandatory requirement under Building Regulations requiring all new dwellings to comply with this minimum standard unless the enhanced accessibility requirements outlined above have been introduced through a policy in a Local Plan. However, an optional accessibility requirement would only apply where a condition that one or more dwellings should meet the relevant optional requirement is imposed on new development as part of the process of granting planning permission. Where no condition is imposed, dwellings only need to meet the requirements of M4(1).
  - 2.4. In summary, optional Building Regulations M4(2) and M4(3) include requirements to secure increased levels of accessibility or adaptability in new dwellings over and above the requirements set out in requirement M4(1).
  - 2.5. The optional Building Regulations standards on accessibility have been incorporated into policy Housing 5 (H5): Technical Standards within the consultation draft Future Mole Valley Local Plan (see Part 1 of Policy H5). Policy H5 requires a minimum of 10% of new dwellings to meet Building Regulations standard M4(2) 'accessible and adaptable dwellings' on sites of 10 or more new dwellings, and for a minimum of 5% of

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<sup>3</sup> The National Planning Policy Framework (NPPF) (2019): <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

<sup>4</sup> The Building Regulations 2010 – Access to and use of buildings – Part M (2015 edition incorporating 2016 amendments): [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/540330/BR\\_PDF\\_AD\\_M1\\_2015\\_with\\_2016\\_amendments\\_V3.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/540330/BR_PDF_AD_M1_2015_with_2016_amendments_V3.pdf)

new dwellings to meet Building Regulations standard M4(3) 'wheelchair user dwellings' on sites of 20 or more new dwellings. The supporting text to this policy sets out that in regard to wheelchair user dwellings (M4(3)), the majority of dwellings will be required to comply with M4(3)(2)(a). Building Regulations standard M4(3)(2)(b) 'accessible wheelchair user dwellings' only applies to affordable housing where the Council is responsible for allocating or nominating a person to live in that dwelling.

2.6. Additionally, the National Planning Practice Guidance sets out that to demonstrate there is a need for additional accessibility standards, local planning authorities should consider issues including the following:

- The likely future need for housing for older people and those with disabilities
- Size, location, type and quality of dwellings needed to meet specifically evidenced needs
- The accessibility and adaptability of existing housing stock
- How needs vary across different housing tenures
- Consideration of the impact on viability of housing development.

### **Supporting Evidence**

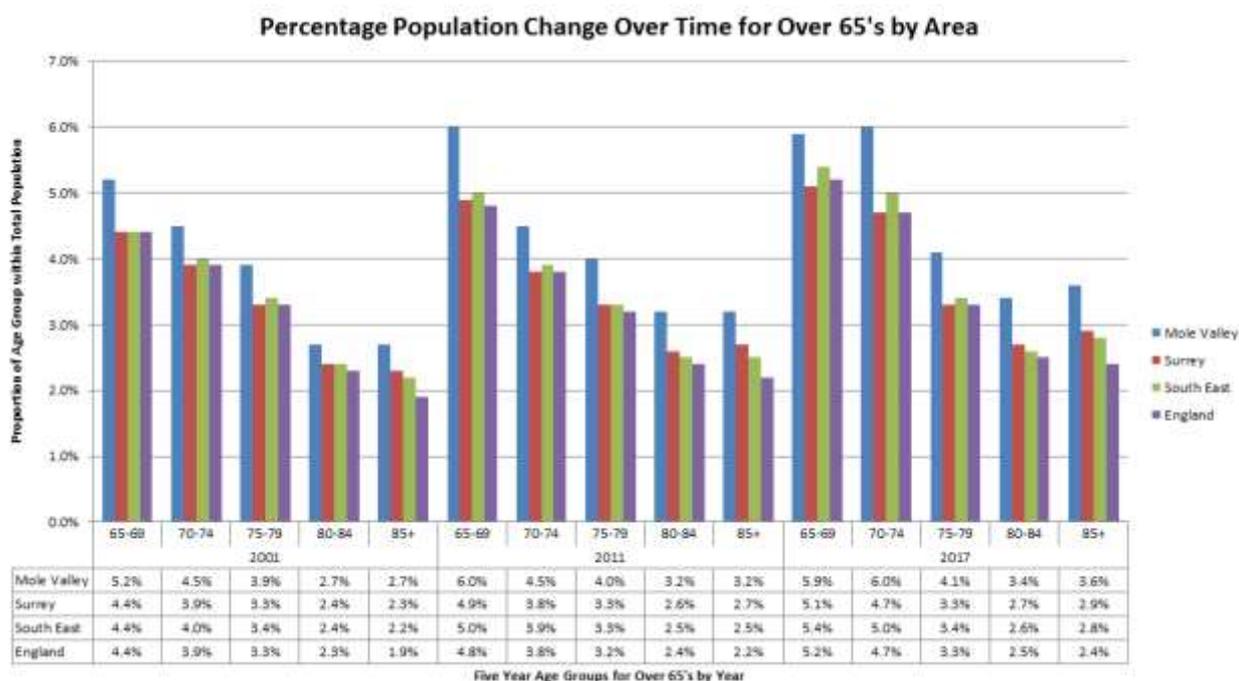
#### The likely future need for housing for older people and people with disabilities

2.7. As is set out within the Ageing Population and Specialist Housing Topic Paper Mole Valley has one of the highest rates of increase for people aged 65+ across the Housing Market Area (HMA) according to the projections between 2015 and 2037. Mole Valley also has one of the highest rates of increase for the 85+ age group during the same timeframe.

2.8. In addition to this, life expectancy in Mole Valley is above the regional and national average, with life expectancy at birth for males and females born between 2014 and 2016 at 81.3 years and 85.1 years respectively.

2.9. Figure 1 and Table 1 below provide some population data about older people (aged 65+) and compares this with other areas between the years of 2001, 2011 and 2017. The data shows that, when compared with Surrey, the South East region and England, Mole Valley consistently has a higher proportion of older people and does therefore have an older population structure. This is an increasing trend.

**Figure 1: Population percentage of over 65's in 2001, 2011 and 2017**



Source: ONS 2016 based subnational projections for England

**Table 1: Overall percentage of over 65's in 2001, 2011 and 2017 by area**

Area	All 65+ in 2001	All 65+ in 2011	All 65+ in 2017
<b>Mole Valley</b>	<b>19%</b>	<b>20.9%</b>	<b>23%</b>
<b>Surrey</b>	<b>16.3%</b>	<b>17.3%</b>	<b>18.7%</b>
<b>South East</b>	<b>16.4%</b>	<b>17.2%</b>	<b>19.2%</b>
<b>England</b>	<b>15.8%</b>	<b>16.4%</b>	<b>18.1%</b>

Source: ONS 2016 based subnational projections for England

2.10. It should be recognised that as well as requiring higher standards of accessibility due to age-related frailty, there is also a need for housing that provides for people with a range of disabilities and other health issues. Whilst the percentage of households and people with long-term health problems or disabilities (LTHPD) in Mole Valley was slightly below the percentage provided for England according to the 2011 Census data, the increasing older population means there will be an increasing need to cater for people with disabilities over the duration of the new Local Plan.

2.11. The Strategic Housing Market Assessment (SHMA)<sup>5</sup> has highlighted that across the HMA older people are under-occupying housing, which implies that the majority of older people would prefer to remain in their own homes for as long as possible. However, existing properties can be difficult to adapt or repair quickly and affordably and there is also currently a lack of suitable, accessible, small and affordable accommodation for older people to downsize to within the District. This is another reason for some older people choosing to stay in their existing homes.

<sup>5</sup> Strategic Housing Market Assessment (SHMA) (2016): [http://www.molevalley.gov.uk/media/pdf/h/r/SHMA\\_2016.pdf](http://www.molevalley.gov.uk/media/pdf/h/r/SHMA_2016.pdf)

### Size, location, type and quality of dwellings needed to meet the housing needs of particular groups

- 2.12. As population projections show within the Ageing Population and Specialist Housing Topic Paper, the number of older people in Mole Valley is expected to continue increasing. Population changes, including improvements in life expectancy, are expected to have an impact on housing needs in the District. Many older people will want to remain in their existing (and often family) homes. However, some older households may consider downsizing, to reduce housing costs, release equity from their homes to fund their lifestyle or retirement or to meet their changing needs (such as by moving to general housing that is already suitable, such as bungalows, or homes which can be adapted to meet a change in their needs).
- 2.13. As suggested above, a significant proportion of people living with a LTHPD are likely to be linked to the age profile of the area. Fundamentally, there is a need to provide housing for older and/or people with disabilities as part of achieving a good mix of housing, whether it be smaller well-located housing, accessible or adaptable accommodation, wheelchair user dwellings, step-free housing or more specialised homes.

### Accessibility and adaptability of existing housing stock

- 2.14. Given the predominantly rural nature of the District combined with the topography, which is hilly in parts, in addition to the significant levels of older, mostly Victorian, housing stock, conversion of these existing properties to provide more accessible and adaptable homes can be difficult. For this reason, it is proposed that new housing should seek to provide better standards of accommodation to cater for an aging population as well as those with disabilities.

### How needs vary across different housing tenures

- 2.15. MVDC has not identified any evidence that needs for accessible and adaptable dwellings vary significantly across tenures.
- 2.16. However, purpose-built specialist housing such as sheltered or extra-care facilities are more likely to be rental or leasehold. These forms of housing are also more likely to require a high level of accessibility in all units. This is reflected in draft policy H6, which highlights that the requirements in draft policy H5 should be regarded as a minimum.

### The overall impact on viability

- 2.17. The requirement for new dwellings to meet the optional accessibility standards will have an impact on building costs, and therefore viability.
- 2.18. The Future Mole Valley Local Plan is supported by a Viability Assessment which assesses the whole Plan viability, including the viability across different types of development. An assessment of the implications on viability were considered for the introduction of Part M optional accessibility standards as detailed within policy H5: Technical Standards for:

- A minimum of 10% of new dwellings to be built to M4(2) category 2 ‘accessible and adaptable dwellings’ on sites of 10 or more new dwellings; and
- A minimum of 5% of new dwellings to be built to M4(3) category 3 ‘wheelchair user dwellings’ on sites of 20 or more dwellings.

2.19. The Viability Assessment concludes that these requirements can be accommodated without adversely affecting viability.

## **Conclusion**

2.20. As outlined within this paper, Mole Valley has one of the highest rates of increase of older people across the HMA. In addition to this, Mole Valley is ranked as having the highest percentage of 65+ population of the 11 local authorities in Surrey and second in the 85+ population. By 2037 it is projected that there will be 28,000 people aged 85 plus in the HMA (Kingston upon Thames and the North East Surrey Authorities), an increase of 133% on current numbers.

2.21. Based on the above information and statistics, the number of residents and households in the District experiencing mobility issues is likely to grow over the Plan period, due in part to the ageing population of Mole Valley. The majority of older people are also choosing to live in their own homes for as long as possible. There will therefore be a greater need for accommodation which is accessible and adaptable. The accessible and adaptable dwellings policy aims to deliver a range of types of housing to provide the choice for elderly residents and those with support needs in the District. As such, the policy seeks to provide accessible dwellings for those who would prefer to remain in their own homes as their needs evolve.

2.22. The proposed proportion of dwellings required to meet the M4(2) and M4(3) standards have been tested within the viability assessment. Both figures are considered to be reasonable and achievable and have therefore been included as minimum requirements within policy Housing 5: Technical Standards.

2.23. Finally, the supporting text to policy Housing 5: Technical Standards does make reference to certain cases where the inclusion of accessible and adaptable dwellings may not be possible due to the impact on viability, or due to physical or environmental factors (such as topography or flood risk issues). In instances such as this, evidence would be required to demonstrate why the site would be unsuitable for occupants with disabilities, in accordance with National Guidance.

### **3. Optional Water Efficiency Standard**

#### **Background**

- 3.1. National Planning Policy advises that all Local Plans should seek to mitigate and adapt to climate change, which includes taking water supply and demand into consideration in order to contribute to the achievement of sustainable development to meet the needs of present and future generations.
- 3.2. The National Planning Practice Guidance also sets out that where there is a clear local need, local planning authorities can introduce a Local Plan policy requiring new dwellings to meet the tighter Building Regulations optional requirement of 110 litres/person/day. This would replace the mandatory national standard requirement of 125 litres/person/day.
- 3.3. To establish a clear need, the Planning Practice Guidance lists the following considerations to be considered by all local planning authorities:
  - Existing sources of evidence
  - Consultations with the local water and sewerage company, the Environment Agency and catchment partnerships
  - Consideration of the impact on viability and housing supply of such a requirement.

#### **Water supply to Mole Valley and ways to support a tighter water efficiency standard**

- 3.4. Sutton & East Surrey Water (SESW) is the main water supplier to Mole Valley, covering the majority of the District. However, a small western part of the District, including the Abinger Common and Abinger Hammer area, is supplied by Thames Water.
- 3.5. The National Planning Practice Guidance suggests using a number of possible sources of evidence to help support the introduction of a tighter water efficiency standard. The sources of evidence include:
  - Evidence of water stress using The Environment Agency Water Stressed Areas Classification (2013)
  - Water Resource Management Plans produced by water companies
  - Impact on the local water environment using River Basin Management Plans.

#### **Supporting Evidence**

##### Water stress

- 3.6. One of the main reasons for MVDC opting to introduce a higher standard of water efficiency within the District is because the Environment Agency have confirmed that Mole Valley is within an area of 'serious water stress'. This does not necessarily mean that the demand for water outstrips the supply but the gap is small, leaving a minimal amount for the environment.

3.7. In July 2013, the Environment Agency published a document called ‘Water stressed areas – final classification’<sup>6</sup>, which sets out an indicative stress situation for each individual water company. The document is also used to help advise the Secretary of State of the areas classified as ‘Areas of serious water stress’ for the purposes of the Water Industry (under the Water Industry (Prescribed Conditions) Regulation 1999, as amended) to support decisions about metering.

3.8. Areas of water stress are defined as areas where:

- The current household demand for water is a high proportion of the current effective rainfall which is available to meet that demand; or
- The future household demand for water is likely to be a high proportion of the effective rainfall available to meet the demand.

3.9. The document confirms that the water stress situation within the SESW area is ‘serious’. The same scenario also applies to the Thames Water area.

#### Water Resource Management Plans

3.10. As set out above, SESW supplies the majority of water to Mole Valley. As well as covering a large proportion of Surrey, the supply area extends into parts of Kent, West Sussex and Greater London.

3.11. As part of looking for evidence to help justify the higher water efficiency standard, the latest Draft Water Resources Management Plan (2019)<sup>7</sup> produced by SESW has been reviewed by MVDC. The Draft Water Resources Management Plan sets out proposals to meet forecast demand for water supplies over the next 60 years, starting from 2020 (up to 2080). The document acknowledges that there are future challenges and uncertainties ahead as a result of 1) increased demand from a growing population; 2) the availability of raw water sources likely to reduce due to climate change and 3) the need to mitigate the impacts of SESW’s water abstractions and treatment operations on local rivers, wetlands and the wider environment.

3.12. SESW have highlighted that to account for uncertainties in future forecasts, water supply is planned on the basis of meeting customer demand, which must also include an additional amount (safety buffer), known as ‘headroom’. As demand can increase significantly in hot, dry spells, SESW also assess whether there will be sufficient water resources to meet the needs of their customers during these peak periods.

3.13. Taking the above considerations into account, SESW have confirmed that whilst there is likely to be a surplus of water resources until nearly 2050, at this point demand (plus headroom) is forecast to exceed available supplies. It is therefore considered necessary for SESW to implement additional actions to help reduce water consumption. SESW intend to address water demand through an enhanced programme of metering, water efficiency and leakage reduction measures, which they intend to monitor in order to help refine future water resources management plans.

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<sup>6</sup> Environment Agency document titled ‘Water Stressed Areas – Final Classification’ (2013): [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/244333/water-stressed-classification-2013.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/244333/water-stressed-classification-2013.pdf)

<sup>7</sup> Revised Draft Water Resources Management Plan: Non-Technical Summary (Issue No. 2) (2019): <https://www.waterplc.com/pages/about/WRMP/>

## River Basin Management Plans

- 3.14. The District of Mole Valley predominantly falls within the Thames river basin district<sup>8</sup>, which incorporates 17 management catchments comprising of interconnected rivers, lakes, groundwater and coastal waters. The main catchment operating within Mole Valley is the Mole catchment, which consists of 20 river water bodies, 4 lakes and 6 groundwater bodies. A further 6 groundwater bodies slightly overlap into the catchment.
- 3.15. The Environment Agency's Mole Management Catchment (2014)<sup>9</sup> document sets out the progress with the river basin management planning process at a local scale. The document sets out the necessary actions of the Environment Agency up to 2020, to improve the health of the water environment.
- 3.16. A key point that emerged from the document is the concern with the health of all the water in the Mole catchment, both surface water and groundwater. The assessments show that all ground water bodies are at risk from rising concentrations of pollutants but also from over abstraction of water. The document identifies a need to manage demand and abstraction levels in order to avoid further deterioration in quality.

## The overall impact on viability

- 3.17. The Viability Assessment tested for the introduction of a tighter water efficiency standard and no viability issues were identified. Furthermore, SESW have confirmed that the evidence they have collected to date suggests that the optional requirement of 110 litres/person/day would be at little or no extra cost to the developer (approximately £9 per property).

## **Conclusion**

- 3.18. The evidence provided within this section of the paper clearly demonstrates that water efficiency needs to be considered at a local level, particularly because the District is within an area of 'serious water stress' and because it has been demonstrated that water demand does have an impact on water quality within the local catchment.
- 3.19. The introduction of a tighter water efficiency standard (see Part 2 of Policy H5 in the draft Local Plan) would be in line with the aims of SESW's draft water resource management plan to reduce water consumption into the future. Additionally, it would help to reduce the overall level of water stress. SESW have advised that they would support the incorporation of such a policy (see Appendix 1) within the new Local Plan based on their assessments of water resource availability and it is evident that the inclusion of a more water efficient standard would not give rise to any viability concerns.

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<sup>8</sup> Thames River Basin District River Basin Management Plan (2015):  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/718342/Thames\\_RBD\\_Part\\_1\\_river\\_basin\\_management\\_plan.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/718342/Thames_RBD_Part_1_river_basin_management_plan.pdf)

<sup>9</sup> The Mole Management Catchment: A Summary of Information about the Water Environment in the Mole Management Catchment (2014):  
[https://circabc.europa.eu/webdav/CircaBC/env/wfd/Library/framework\\_directive/implementation\\_documents\\_1/2012-2014%20WFD%20public%20information%20and%20consultation%20documents/UK/UK06%20Thames/Mole.pdf](https://circabc.europa.eu/webdav/CircaBC/env/wfd/Library/framework_directive/implementation_documents_1/2012-2014%20WFD%20public%20information%20and%20consultation%20documents/UK/UK06%20Thames/Mole.pdf)

## 4. Nationally Described Space Standard

### Background

- 4.1. National Planning Policy emphasises the importance of *'the creation of high quality buildings and places'*, which are *'fundamental to what the planning and development process should achieve'*. National Planning Policy also focuses on the need to ensure that new developments, including housing, achieve a *'consistent and high quality standard of design'*.
- 4.2. The Nationally Described Space Standard (NDSS)<sup>10</sup> focuses on internal space within new dwellings and is suitable for application across all tenures. These standards set out requirements for the Gross Internal Floor Area (m<sup>2</sup>) of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling heights (see Appendix 2). The Gross Internal Area of a dwelling is defined as the total floor space measured between the internal faces of perimeter walls that enclose the dwelling.
- 4.3. National Planning Practice Guidance allows for local planning authorities to require new homes (including conversions) to meet the nationally described internal space standard.
- 4.4. In order to justify imposing the standard locally, the Planning Practice Guidance recommends that local planning authorities take account of:
  - Need – evidence should be provided on the size and type of dwellings currently being built in the area, to ensure the impacts of adopting space standards can be properly assessed
  - Viability – the impact of adopting the space standard should be considered as part of a plan's viability assessment with account taken of the impact of potentially larger dwellings on land supply. Local planning authorities will also need to consider impacts on affordability 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.

### Supporting Evidence

#### Evidence on need

- 4.5. MVDC consider that the NDSS will enable the construction of new dwellings within the District that will be of good quality, and provide an adequate level of amenity and storage space for future occupants. The standard will also help to support other policies within the draft Local Plan, such as Policy EN4: Design and Character, which aims to ensure that new development is of high design quality.

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<sup>10</sup> Technical Housing Standards – Nationally Described Space Standard (2015):  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/524531/160519\\_Nationally\\_Described\\_Space\\_Standard\\_Final\\_Web\\_version.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/524531/160519_Nationally_Described_Space_Standard_Final_Web_version.pdf)

- 4.6. In 2011, research by the Royal Institution of British Architects (RIBA)<sup>11</sup> revealed that the family homes being sold by the UK's eight largest house builders were on average 8m<sup>2</sup> smaller (the size of a single bedroom) than the minimum standards achieved in London. In 2015, RIBA confirmed that when looking at house sizes across the UK from the country's ten largest house builders, the average new three bedroom home was 4m<sup>2</sup> smaller than the new standard (the equivalent size of a bathroom). The study concluded that at that particular time, more than half of the new homes being built were not of a sufficient size to meet the needs of the people who bought them.
- 4.7. Whilst the size of houses being built at a national level is a consideration, the National Planning Practice Guidance clearly sets out that evidence should be provided at a local level to justify the need locally. As such, MVDC carried out a desk-top evidence gathering exercise to establish whether there is a need for a space standards policy to be included within the Mole Valley Local Plan. This focussed on examination of a sample of recent applications for small residential units that either just met the standard or failed to achieve the minimum space standards.
- 4.8. The findings are summarised below in Tables 2-4, which provide information on the floor areas achieved for new units of accommodation in comparison to the floor areas that would be required by the NDSS for:
- Development implemented and completed between 2017/2018 – change of use and conversions (Table 2), and;
  - Implemented and unimplemented development including change of use and new build for applications determined between 2010 and 2016 (Table 3).
- 4.9. Table 4 relates to recent prior notification applications for the conversion of offices to residential use under permitted development, the floor areas of which cannot be considered against the NDSS, but which do have an impact on available housing stock. Only a small sample of applications have been provided within each of the tables.

Table 2: Development implemented and completed between 2017/2018 – change of use and conversions

<b>Application Reference</b>	<b>Application Site</b>	<b>Dwelling Type</b>	<b>Applicable Minimum Gross Internal Floor Area (m<sup>2</sup>) under the NDSS</b>	<b>Approximate Gross Internal Floor Area (m<sup>2</sup>)</b>
MO/2015/1360	187 High Street, Dorking	1no. flat	50 (1 bed/2 people)	<b>48</b>
MO/2016/1077	8 The Crescent, Leatherhead	2no. flats	50 (1 bed/2 people)	<b>39-48</b>
MO/2016/1024	5 Elm Road, Leatherhead	2no. semi-detached dwellings	50 (1 bed/2 people) and 79 (2 bed/4 people)	<b>34 and 66</b>
MO/2017/0802	St Michaels, Horley	1no. dwelling (single-storey)	50 (1 bed/2 people)	<b>51</b>

<sup>11</sup> Royal Institution of British Architects (RIBA) (2011): <https://live.architecture.com/-/media/gathercontent/space-standards-for-homes/additional-documents/homewisereport2015pdf.pdf>

Table 3: Implemented and unimplemented development including change of use and new build (determined between 2010 and 2016).

<b>Application Reference</b>	<b>Application Site</b>	<b>Dwelling Type</b>	<b>Applicable Minimum Gross Internal Floor Area (m<sup>2</sup>) under the NDSS</b>	<b>Approximate Gross Internal Floor Area (m<sup>2</sup>)</b>
MO/2010/0111 Approved	Swan Guest House, 37-39 Kingston Road, Leatherhead	7no. flats – new build	70 (2 bed/4 people)	<b>65</b>
MO/2016/0807 Approved	304 High Street, Dorking	2no. flats – change of use	50 (1 bed/2 people)	<b>40-42</b>
MO/2016/2075 Refused	Kuoni House & Deepdene Lodge, Deepdene Avenue, Dorking	125no. flats – change of use (96 x 1 beds, 28 x 2 beds, 1 x 3 bed)	50 (1 bed/2 people)	<b>35 flats measuring under 50 (out of 96 1 bed flats)</b>
MO/2016/2075 Refused	Kuoni House & Deepdene Lodge, Deepdene Avenue, Dorking	125no. flats – change of use (96 x 1 beds, 28 x 2 beds, 1 x 3 bed)	70 (2 bed/4 people)	<b>1 flat under 70 (out of 28 2 bed flats)</b>
MO/2016/2075 Refused	Kuoni House & Deepdene Lodge, Deepdene Avenue, Dorking	125no. flats – change of use (96 x 1 beds, 28 x 2 beds, 1 x 3 bed)	95 (3 bed/6 people)	<b>1 x 3 bed flat meets the standard</b>

Table 4: Prior Notification applications (conversion of offices to residential use)

<b>Application Reference</b>	<b>Application Site</b>	<b>Dwelling Type</b>	<b>Minimum Gross Internal Floor Area (m<sup>2</sup>) required under the NDSS</b>	<b>Approximate Gross Internal Floor Area (m<sup>2</sup>)</b>
MO/2015/0426 Approved	Federated House, London Road, Dorking	71 flats – change of use (31 x 1 beds & 40 x 2 beds)	50 (1 bed/2 people)	<b>30 flats under 50 (out of 31 1 bed flats)</b>
MO/2015/0426 Approved	Federated House, London Road, Dorking	71 flats – change of use (31 x 1	70 (2 bed/4 people)	<b>40 flats under 70 (out of 40 2 bed flats)</b>

Application Reference	Application Site	Dwelling Type	Minimum Gross Internal Floor Area (m <sup>2</sup> ) required under the NDSS	Approximate Gross Internal Floor Area (m <sup>2</sup> )
		beds & 40 x 2 beds)		
MO/2019/0098 Approved	1 Opus, Ryebrook Business Park, Leatherhead	30 flats – change of use (11 x 1 beds & 19 x 2 beds)	50 (1 bed/2 people)	<b>5 flats under 50 (out of 11 1 bed flats)</b>
MO/2019/0098 Approved	1 Opus, Ryebrook Business Park, Leatherhead	30 flats – change of use (11 x 1 beds & 19 x 2 beds)	70 (2 bed/4 people)	<b>1 flat under 70 (out of 19 2 bed flats)</b>

*NOTE: The NDSS does not apply to Prior Notification applications. The information within the fourth column under Table 4 relating to the NDSS has been provided to give an indication of the minimum floor areas that would be required if the Prior Notification applications had come forward as planning applications.*

- 4.10. The data available to MVDC demonstrates that the majority of planning applications that come forward for new build dwellings within Mole Valley do exceed the minimum space standards. However, it is also clear from the evidence provided (within tables 2 - 3 above) that applications for change of use and conversions of existing buildings into residential use are often smaller units of accommodation, and are more likely to incorporate sub-standard floor areas that fall short of the minimum space standards due to the physical building constraints.
- 4.11. Application reference MO/2016/2075 (Kuoni House & Deepdene Lodge) shown in Table 3 for a change of use from office to residential use is an example of a planning application that was refused on a number of grounds, including the unacceptable harm that would result to the Green Belt and the Surrey Hills Area of Outstanding Natural Beauty, an unacceptable housing mix and the lack of a completed legal agreement. Although a significant proportion of the 1 bed flats proposed had floor areas measuring below the minimum space standards, which was recognised within the Officer report, the application was not refused on this basis because the NDSS has not been formally adopted by MVDC. It should be noted that 35 of the 96 one bed flats measured below 40m<sup>2</sup> with the smallest one bed unit measuring 32m<sup>2</sup>. If applying the NDSS the one bed flats would be required to measure a minimum of 50m<sup>2</sup>.
- 4.12. In addition to the applications listed above, a number of retrospective planning applications for the change of use/conversion of outbuildings into residential units were received in the early part of 2019, two of which relate to annexes becoming self-contained units of accommodation. In all of these examples, each of the residential units currently have floor areas that are below the applicable minimum gross internal floor area (50m<sup>2</sup> in this instance), with the smallest internal floor area measuring only 10m<sup>2</sup>. The planning applications for these residential units have recently been determined, two of which have been refused on a number of grounds. Only one of the applications has been approved, which has managed to overcome the concerns

raised. As part of the application process, the number of residential units was also reduced from two to one to ensure that acceptable living standards were provided.

- 4.13. On a further point, the NDSS requires all new dwellings to have a minimum floor to ceiling height of 2.3 metres for at least 75% of the Gross Internal Floor Area. In two of the examples of retrospective planning applications referenced above, the existing first floor flats fail to comply with this requirement thereby resulting in the creation of units of accommodation with unacceptable head heights. This is an example of how the NDSS can also control other aspects of internal layouts and that it does not solely relate to the provision of acceptable internal floor areas.
- 4.14. Some residential development lies outside the control of MVDC, for example permitted development rights allowing the change of offices to residential (see Table 4). These rights would continue to apply irrespective of whether minimum space standards are adopted. However, MVDC are aware of instances where sub-standard accommodation has been created using this particular method. Therefore, there is evidence of very small residential units entering the local housing supply through this means. Adoption of space standards would prevent this happening in cases where MVDC does have planning control.
- 4.15. On a final point, it is considered that over the duration of the Local Plan, the District of Mole Valley will inevitably be subject to greater development pressures, particularly given the existing constraints, such as Green Belt and Areas of Outstanding Natural Beauty, which do have an impact on MVDC's ability to plan for a level of development that meets the District's objectively assessed needs due to the limited availability of developable land. As such, these factors could have an impact on the level of internal space provided within new dwellings, unless the NDSS is introduced. The introduction of the NDSS would help to ensure:
- The provision of high quality homes where internal spaces are not compromised on housing site allocations within the draft Local Plan, particularly on the strategic sites (comprising of 100 dwellings or more), which are likely to be built at higher densities.
  - Satisfactory internal living areas within new dwellings that are permitted under Policy H4: Development Opportunity Areas, which will require the provision of higher density smaller homes within targeted sustainable locations.

#### The overall impact on viability

- 4.16. The Council's Whole Plan Viability Assessment assessed and tested certain policies within the draft Local Plan, including the introduction of the NDSS. The Viability Assessment concluded that the inclusion of a policy for all new dwellings to meet the NDSS would not impact upon the viability and deliverability of individual sites or on the overall Plan.

#### Timing

- 4.17. MVDC do not consider that it will be necessary to incorporate a transitional period following adoption of the new Local Plan to enable developers to factor in the introduction of space standards. This is partly to do with the fact that planning applications for new build dwellings within Mole Valley already predominantly exceed the minimum space standards, as is set out above under 'evidence on need'. Notwithstanding this, the NDSS was first introduced into the Planning system back in 2015. Even if certain local authorities have not yet adopted this particular standard,

developers across the country are already accustomed to the requirements of the NDSS as well as factoring these standards into future land acquisitions. Developers of sites under consideration for inclusion in the consultation draft Local Plan were made aware at an early stage that MVDC is considering introducing the NDSS, so have had the opportunity to factor this into site-specific negotiations.

## **Conclusion**

- 4.18. The adoption of the NDSS (see Part 3 of Policy H5 in the draft Local Plan) is considered reasonable and justifiable based on the evidence provided under Section 4, which would ensure the delivery of good quality and appropriately sized accommodation throughout the District.
- 4.19. MVDC also consider there is a need for the introduction of a space standard in the District given the Government targets for delivering new housing, which will result in greater development pressures within the area over and beyond the duration of the new Local Plan. The adoption would also provide clarity and consistency for developers regarding the size of properties being built within the District.

# Appendix 1: Email of support from SESW

Thu 08/11/2018 16:42

Alison Murphy [Alison.Murphy@seswater.co.uk](mailto:Alison.Murphy@seswater.co.uk)

RE: Water efficiency standards

Victoria,

Yes we would support incorporation of the optional standard of 110 litres / person / day into your Local Plan. Most other local authorities in our area of supply have already adopted this standard – using the justification of the water stress status (which is not quite that demand outstrips supply but that the gap is small not leaving much water for the environment) and our support based on our assessments of water resource availability and environmental impacts. I'm happy to provide more detail if you need it.

We have based our latest Water Resources Management Plan (2020 to 2080) on the basis that all new homes are built to the optional standard.

We would also support that you require the 'fittings based approach' instead of the 'calculator based approach' as this is less open allowing high water using fittings.

It is also helpful to provide guidance to developers on being water efficient. The HBF have just produced new leaflets on this.

Regards Alison

Alison Murphy

Water Resources Manager

SES Water

Tel: 01737 772000 (Switchboard)

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## Appendix 2: Nationally Described Space Standard (NDSS)

### Minimum gross internal floor areas and storage (m<sup>2</sup>)

Number of bedrooms (b)	Number of bed spaces (persons) (p)	1 storey dwellings	2 storey dwellings	3 storey dwellings	Built-in storage
1b	1p	39 (37)*	-	-	1.0
1b	2p	50	58	-	1.5
2b	3p	61	70	-	2.0
2b	4p	70	79	-	2.0
3b	4p	74	84	90	2.5
3b	5p	86	93	99	2.5
3b	6p	95	102	108	2.5
4b	5p	90	97	103	3.0
4b	6p	99	106	112	3.0
4b	7p	108	115	121	3.0
4b	8p	117	124	130	3.0
5b	6p	103	110	116	3.5
5b	7p	112	119	125	3.5
5b	8p	121	128	134	3.5
6b	7p	116	123	129	4.0
6b	8p	125	132	138	4.0

#### Notes (added 19 May 2016):

1. Built-in storage areas are included within the overall gross internal areas (GIAs) and include an allowance of 0.5m<sup>2</sup> for fixed services or equipment such as a hot water cylinder, boiler or heat exchanger.
2. GIAs for one storey dwellings include enough space for one bathroom and one additional WC (or shower room) in dwellings with 5 or more bed spaces. GIAs for two and three storey dwellings include enough space for one bathroom and one additional WC (or shower room). Additional sanitary facilities may be included without increasing the GIA provided that all aspects of the space standard have been met.
3. Where a 1 bedroom 1 person flat has a shower room instead of a bathroom, the floor area may be reduced from 39m<sup>2</sup> to 37m<sup>2</sup>, as shown bracketed.
4. Furnished layouts are not required to demonstrate compliance.