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at Brighton & Hove City Council

Space and Accessibility Standards Topic Paper

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Brighton & Hove
City Council

Space and Accessibility Standards Topic Paper

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1. Introduction

- 1.1 The purpose of this Topic Paper is to provide background information on the introduction of the government's minimum space standards and the enhanced optional standards for accessible and adaptable housing in the City Plan Part 2 (CPP2). The proposed standards set out in Policy DM1 Housing Quality, Choice and Mix of the draft CPP2 complement the objective of the adopted City Plan Part 1 (CPP1) to improve quality, choice and mix of housing in the city. The approach is therefore consistent with paragraph 61 of the National Planning Policy Framework (NPPF) (2019) which sets out that Local Planning Authorities (LPAs) should seek to ensure that the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies.
- 1.2 In 2015 the Government introduced the Nationally Described Space Standard (NDSS), following on from the Housing Standards Review¹. Whilst the majority of the recommendations of the Review were incorporated into Building Regulations, the space and enhanced accessibility standards were treated as optional standards that Local Planning Authorities (LPAs) can adopt through their Local Plan where there is demonstrated to be a local need.
- 1.3 The National Planning Practice Guidance (NPPG) sets out that where an LPA seeks to introduce an internal space standard in accordance with the NPPF, they should only do so by reference to the Nationally Described Space Standards (NDSS). LPAs will however need to gather evidence to determine whether there is a need for additional standards in their area, and justify setting appropriate policies in their Local Plans.
- 1.4 This CPP2 Topic Paper therefore provides evidence of need for the optional technical standards relating to space and accessibility in Brighton & Hove, and demonstrates that the introduction of these enhanced optional standards will not have a significant impact on the viability of development in the city.

Policy Context

- 1.5 Adopted CPP1 Policies CP19 (Housing Mix) and SA6 (Sustainable Neighbourhoods) support the introduction of policies in Part 2 of the City Plan to secure high quality and sustainability in new residential development. These policies indicate that Part 2 of the City Plan will seek to include the requirements of the NDSS and the new higher technical standards for access in new homes. Policy CP12 (Urban Design) sets out the need for all new development to be inclusive, adaptable and accessible.
- 1.6 It should be noted that until the introduction of the NDSS, the 'saved' Policy HO13 in the 2005 Brighton & Hove Local Plan had successfully sought to address accessibility and adaptability in new residential development by requiring new homes to be built to 'Lifetime Homes' standards where feasible. That policy also seeks an appropriate proportion of wheelchair accessible housing in new development.

¹ <https://www.gov.uk/government/consultations/housing-standards-review-technical-consultation>

1.7 Policy DM1 (Housing Quality, Choice and Mix) in the draft CPP2 (as amended) introduces the following policy requirements relating to residential space and accessibility standards:

- c) all residential units should meet the nationally described space standards²;
- d) all residential units should as a minimum be accessible and adaptable in accordance with Building Regulation M4(2)³;
- e) for proposals providing 10 or more dwellings, 10% of the affordable residential units and 5% of all the residential units should be suitable for occupation by a wheelchair user in accordance with Building Regulation M4(3)⁴. Where this is not practicable on-site an equivalent financial contribution should be provided⁵;

Table 2 which accompanies the policy sets out minimum gross internal floor areas and storage based on the published NDSS.

2. Space Standards Evidence

2.1 The NPPG states that in order to require the use of the space standard, the LPA should take account of three broad criteria:

- Need – based on evidence of the size and type of dwellings currently being built in the area in order to ensure that the impacts of adopting the standard are properly assessed.
- Viability – looking at the potential impact of adoption on housing supply and affordability and;
- Timing – whether there should be a transition period following adoption of a policy to enable the impacts to be factored into future land acquisitions.

2.2 It should be noted that the Council has been applying the NDSS informally as a development management requirement for residential planning applications since their introduction in 2015. In the vast majority of cases, the space standards have been accepted and complied with by applicants and developers. There has been no evidence that the application of NDSS has been generally resisted by local developers, or that applying the space standards has reduced the number of residential applications coming forward.

2.3 However, in order to provide evidence for their inclusion in policy, the section below considers the implications of applying the NDSS against the three criteria set out in the NPPG.

² The nationally described space standards as set out in the policy or as amended. Residential accommodation that does not fall within a C3 use class (e.g. extra care accommodation, assisted living housing and Housing in Multiple Occupation) and residential extensions will be expected to meet the standards where relevant. As a minimum such accommodation should meet the standards for bedroom sizes, storage, ceiling heights and provision of level access.

³ Building Regulations M4(2) or as amended.

⁴ Building Regulations M4(3) or as amended.

⁵ PartM4(3) - the extra cost per dwelling to provide was assessed in the CIL Viability Study (2017) to be £26,816 for houses and £15,691 for flats. These figures will form the basis for any financial contribution for off-site.

Need

- 2.4 In recent years there has been growing public concern nationally about the quality of new homes. As house prices have increased, alongside a relative lack of choice for homebuyers in light of intense competition for new homes, there has been concern that developers have been reducing dwellings sizes in order to maximise value. In response to these concerns, NDSS was introduced in 2015. Whilst the needs of families will vary significantly, the NDSS represents a benchmark for all new dwellings across the country and across tenures, which balances being achievable and ensuring adequate space. The NPPG makes clear it is the only standard that LPAs should use.
- 2.5 Concerns around space have however persisted even following the publication of NDSS. In 2015, RIBA undertook a study entitled Space Standards for Homes⁶ which reported that half of all new homes remain 'too small' when measured against the minimum standards of the NDSS.
- 2.6 Concerns about poor residential space standards are particularly relevant in Brighton & Hove. The city has inherent natural constraints on developable land which is reflected in high development densities, particularly in the central areas of Brighton and Hove where densities of over 200 dwellings per hectare are common. Policies in the City Plan also seek to maximise development potential and make efficient use of available sites, whilst achieving sustainable development and respecting local character and heritage (see CPP1 Policy CP14 and draft CPP2 Policy DM19). However, it is important to ensure that achieving higher density development does not compromise space standards and living conditions for residents.
- 2.7 The adopted CPP1 sets a housing provision requirement for at least 13,200 new homes to be delivered over the plan period to 2030. As well as planning to provide for a suitable amount of new housing development, it is important to plan for a range and mix of housing types, sizes and tenures.
- 2.8 The city's existing housing stock is characterised by a high proportion of flats, maisonettes and apartments which comprise 50% of the total housing stock (compared to 21% for the South East)⁷. It should be noted that flatted developments continue to constitute a greater proportion of the new builds. Between 2015 and 2018, four fifths of total new build development in the city comprised flats, of which over 43% were studios and 1 bed flats. This trend is likely to continue as seen from some of the larger schemes that have come forward in recent years. Additionally, due to the high demand for smaller dwellings in the city, the conversion of larger residential dwellings to smaller dwellings also forms a significant source of new housing delivery.
- 2.9 A range of factors influence the demand/need for different types and sizes of homes. Evidence on the city's objectively assessing housing need⁸ indicates that for market housing the majority of future demand is likely to be for two and three bedroom

⁶ RIBA 2015 <https://www.architecture.com/-/media/gathercontent/space-standards-for-homes/additional-documents/homewisereport2015pdf.pdf>

⁷ Housing Delivery Action Plan (2019): Brighton and Hove

⁸ Objectively assessed need for housing in Brighton & Hove, June 2015, GL Hearn.

homes (36% and 34% respectively) reflecting demand for housing from younger persons and from young families. There is also likely to be some demand for medium sized homes from older households looking to downsize but still retain flexibility for friends and family to come and stay. The analysis also indicates that the demand for smaller one bedroom properties and larger four bedroom properties is lower (14% and 15% respectively) but still notable.

2.10 For affordable housing, the analysis suggests that a greater proportion of one and two bedroom affordable properties will be required. However, the study notes that this does not reflect any specific priorities for family households in need, and that smaller homes typically offer more limited flexibility in accommodating changing requirements of households.

2.11 The current development trends in the city therefore point to the need for strong policy to ensure that new residential development meets minimum space standards as set out in the NDSS. The responses received through the Draft CPP2 consultation in Summer 2018 showed strong general support for the proposed policy. The majority of comments relating to space standards recognise that many new builds are space-constrained resulting in poor quality living environment for the occupiers and that the Council is justified in seeking to apply minimum space standards. There were a few representations mainly from development industry objecting to the policy. These included Lewis & Co Planning, who argued that the imposition of space standards will constrain the delivery of new homes given that the Council is failing to deliver enough housing to meet its overall housing need. They argue that the requirement will negatively affect the delivery of affordable housing and therefore should not be brought forward until the Council have a clear strategy to meet their own housing needs and a robust supply of housing land to do so. The Council is however not persuaded given the Council has been implementing the NDSS since 2015 and there is no evidence to suggest that housing delivery has been affected.

2.12 Whilst generally supporting the policy application of NDSS standards, the Planning Agents Forum (PAF) expressed concerns that, in the absence of viability assessment, its impact on innovative housing initiatives such as Youth Living or 'tiny home' may be detrimental. They also expressed concern around building flexibility in dealing with difficult sites that would otherwise be left empty. The policy wording allows flexibility in cases that provide sufficient evidence to move away from implementing space standards.

2.13 The representation goes on to state that the term "studio" does not accurately reflect the Government's intentions. 'Studios' form an ever growing housing typology locally and it is considered important to give clarity to their space requirements given their potential for greater vulnerability.

Viability

2.14 In a general sense, the impact of space standards on the viability of a development will be determined by the extent to which the additional costs of larger dwellings are offset by a commensurate increase in the value of a property. Build costs are typically estimated on a £/sq.m basis, and as such an increase in the size of dwellings can be assumed to have a proportionate impact on build costs. In terms of the impact on

the value of a property, the impact is likely to be less clear-cut, as it is influenced by a number of factors, particularly whether purchasers are able to pay more, whether they are willing to do so, and the supply of available dwellings of a similar type in the market. In the Cost Impact assessment produced for the Housing Standards Review⁹, the impact on costs and values was tested and it was estimated that where an increase of 1-5 sq.m was required to meet the standard, on average 80% of the costs would be recovered by an increase in value. For larger changes of 10 sq.m, the cost recovery would fall to 60%. On this basis, unless adherence to the space standards would require a large increase in floorspace, it is unlikely to have a significant impact on viability.

2.15 At the local level, the viability implications of applying the NDSS in new residential development have been examined through work commissioned by the Council to support the introduction of a Community Infrastructure Levy (CIL) which is proposed to be implemented from mid-2020. The Community Infrastructure Levy (CIL) Viability Study (Dixon Searle, 2017 with successive addendums in 2018)¹⁰ included the proposed NDSS as a standard assumption within all the development viability scenarios tested. The study (and subsequent addendums) assessed a wide range of different residential development typologies, ranging from one to 700 units and including indicative schemes of houses/flats of different sizes (i.e number of bedrooms). The NDSS have also been incorporated within the viability testing in the Council's Build to Rent Study (2019)¹¹. Through these studies, the NDSS have therefore already been factored into the development viability testing which underpins the City Plan policies for developer contributions and infrastructure delivery.

2.16 Since the NDSS have been informally applied by the Council's development management function since 2015, the majority of housing being built in the city already complies with the space standards. As the majority of developments can currently viably meet the space standard, including for smaller units, this further suggests that the adoption of space standards should not have a significant impact on the viability of development proposals.

Timing

2.17 With regard to the issue of timing and whether transitional provisions are needed, it should be noted that CPP1 Policy CP19 clearly states the Council's intention to apply the NDSS through Part 2 of the City Plan. In addition, as noted previously, the Council's Development Management team have since 2015 been including an assessment of new developments against the NDSS in officer reports on residential planning applications.

2.18 The Council's recent experience of seeking to ensure minimum space standards in new residential development provides examples of negotiation leading to the amendment of development schemes during the planning application process. One

⁹https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/353387/021c_Cost_Report_11th_Sept_2014_FINAL.pdf

¹⁰ <https://www.brighton-hove.gov.uk/sites/brighton-hove.gov.uk/files/Brighton%20Hove%20CC%20CIL%20Viability%20Study%202017.pdf>

¹¹ Brighton & Hove Build to Rent Study (Dixon Searle Partnership, August 2019)

such example involved an application (BH2016/02756) approved in 2016 for redevelopment of the former Texaco garage and shop at 133 Kingsway, Hove for a medium sized development including residential 55 units. The scheme was assessed against the NDSS and amended during the course of planning application which resulted in the removal of two studio flats which were considered cramped and below the minimum size specified in the NDSS. The overall number of units were also reduced providing a better layout and standard of accommodation and meeting the minimum standard for single occupancy. Given the constraints of the site the amended scheme was considered acceptable and a notable improvement on the originally submitted layout. The development is currently under construction and due to be completed in 2020¹².

- 2.19 There are also examples of cases where inadequate space standards have been used by the Council as a reason for refusal of planning applications. Appeal inspectors have been generally supportive in these situations. In the appeal decision at 309 Queens Park Road, Brighton (BH2018/00672), the Inspector stated “... *Whilst NSS is not formal adopted policy of the Council I can see the logic in applying these measurements as very helpful guidance and I would be of the view that in not meeting this quantum there would reasonably be very real doubt about suitable levels of amenity being provided.*” In another recent appeal decision involving proposed development at 15 Caburn Road, Hove (BH2018/00014), the inspector stated “...*Therefore, the proposal would not provide acceptable living conditions for the future occupiers given the cramped form of accommodation with limited circulation space and usability for future occupiers when taken as a whole.*”
- 2.20 Another example involving conversion of existing first floor flat into two one bedroom flats, at Coombe Terrace, Brighton (BH2018/03039) the Inspector citing the NDSS states “...*The size of the proposed flats would fail to provide adequate space for commonly required items of furniture, storage, circulation space and the usual day to day activities for two people. The development therefore would result in extremely poor living conditions for future occupiers.*”
- 2.21 The examples above provide evidence that the Council’s approach in seeking NDSS standards has been generally accepted by local developers and housebuilders. In addition, where the Council has refused residential applications due to poor space standards, the Council view has been supported by planning inspectors at appeal. There has been a clear direction of travel towards the introduction of the NDSS in CPP2, which has been applied by the Council’s Development Management team and has been understood and accepted by local developers. Furthermore, as the introduction of the standard has not been shown to have a significant adverse impact on the viability of most developments, it should not have a significant impact on decisions that have already been made by land purchasers and developers. On this basis the Council considers that transitional provisions for the introduction of the NDSS are not necessary.

¹² <https://www.brighton-hove.gov.uk/sites/brighton-hove.gov.uk/files/Brighton%20%26%20Hove%20HDAP%20%28FINAL%29.pdf>

Residential Development outside Use Class C3

- 2.22 The published Technical Housing Standards state that the NDSS addresses internal space standards within “new dwellings” and is suitable for application across all tenures. The Government’s Definition of General Housing Terms¹³ defines a ‘dwelling’ as “a self-contained unit of accommodation” which can comprise one household space (an unshared dwelling) or two or more household spaces (a shared dwelling where some facilities (e.g kitchen, bathroom) are shared by more than one household). It should be noted that new dwellings can be created through conversions and changes of use as well as through new build and the applicability of NDSS in all such cases is generally established.
- 2.23 Whilst most residential development falls within Use Class C3, there are some types of housing/accommodation that do not. For example, shared housing (Housing in Multiple Occupation) such as bedsits, shared houses, lodgings, accommodation for workers/ employees may fall within Use Class C4 (up to six people sharing) or ‘sui generis’ (seven or more people sharing). In addition, some types of specialist self-contained housing for older people (i.e assisted living/extra care housing) are typically classified within Use Class C2 due to the level of onsite care/support provided.
- 2.24 The Council believes that appropriate space standards should be applied to all forms of residential development. CPP2 Policy DM1 therefore states that all residential units should meet the nationally described space standards. A footnote to the policy provides further clarification that “*Residential accommodation that does not fall within a C3 use class (e.g extra care accommodation, assisted housing and Housing in Multiple Occupation) and residential extensions will be expected to meet the standards where relevant. As a minimum such accommodation should meet the standards for bedroom sizes, storage, ceiling heights and provision of level access.*”
- 2.25 The majority of comments relating to space standards that were received in response to the Draft CPP2 consultation in Summer 2018 supported the proposed policy. However, one representation argued that the policy wording is not compliant with the national technical housing standards and should only be applied to “residential dwellinghouses”.
- 2.26 The Council considers it reasonable and appropriate to seek to apply minimum residential space standards more widely than only for new dwellings. The NDSS cover more than just minimum gross internal floor areas; they also set minimum standards for built-in storage space, bedroom sizes and floor to ceiling heights which are potentially applicable to all types of residential development and to residential extensions. It is accepted that the extent to which the NDSS minimum requirements are relevant may depend to some extent on the nature of the accommodation. To clarify this, the Council is proposing to amend the relevant footnote to Policy DM1 to state “*Residential accommodation that does not fall within a C3 use class (e.g extra care accommodation, assisted housing and Housing in Multiple Occupation) and residential extensions will be expected to meet the standards where relevant.*” The explanatory memorandum at Paragraph 2.7 also states that “*In respect of a property being extended, the new extension will be expected to accord with the respective*

¹³ <https://www.gov.uk/guidance/definitions-of-general-housing-terms>

standards and it must not make the existing accommodation worse.”

2.27 Other representations in response to the Draft CPP2 consultation argued that the wording should provide more flexibility to allow for innovative housing models (e.g ‘tiny homes’) and types of housing which incorporate communal/shared facilities (e.g build to rent). The Council is aware of increasing interest from developers in providing forms of residential accommodation which incorporate shared/communal facilities in combination with reduced residential unit sizes (e.g co-living, build to rent). This appears to be partly a response to the high housing/accommodation costs and limited available development opportunities in the city, however it is unclear what the actual level of demand is for these types of accommodation. In the Council’s view, the affordability issues affecting many households seeking to access housing do not provide an acceptable justification for allowing the development/ creation of sub-standard housing which would not provide acceptable living conditions for future occupants. For this reason, the Council does not support the exclusion of any specific types of residential development from the Policy DM1 requirements. However, the existing policy wording allows flexibility to relax the space standards in exceptional cases where the applicant has provided a robust justification.

Minimum internal space threshold for residential sub-division

2.28 Policy DM3 (Residential conversions and the retention of smaller dwellings) seeks to manage the sub-division of single residential units into smaller self-contained units in order to ensure that conversions provide a high standard of accommodation and promote and retain housing choice in the city. The policy includes criteria which seek to prevent the sub-division of smaller existing residential units where the original floor area¹⁴ is 120 sq.m or less and to ensure that at least one unit provided is suitable for family occupation with a minimum of two bedrooms, This reflects the high demand within the city for smaller dwellings suitable for family accommodation (i.e 2 or 3 bedroom units). The threshold of 120 sq.m specified in the policy relates directly to the NDSS, and will ensure that any sub-division of existing residential units will provide at least one residential unit of 70+ sq.m (i.e a 2 bedroom 4 person unit) whilst still allowing space for a smaller flat of 50+ sq.m (1 bedroom 2 person unit).

2.29 The 2005 Brighton & Hove Local Plan included a similar policy (Policy HO9) aimed at protecting smaller family-sized dwellings. That policy and the underlying principle has been supported by inspectors at many planning appeals, such as those relating to 135 Milner Road (BH2017/01357), 6 Franklin Road (BH2017/01786) and 10 Edinburgh Road (BH2017/03922). The 2005 Plan policy set a slightly lower threshold of 115 sq.m, however the increase to 120 sq.m will bring the policy into line with the NDSS as set out above.

3. Accessibility Standards

3.1 Local planning authorities have the option to set optional accessibility standard through the Local Plan. These standards are enforced through Building Regulations but the proportion of dwellings that must comply with regulations must be set out in

¹⁴ The original floor area excludes later additions such as extensions, garages (including converted garages) and loft conversions. The calculation of the original floor area must be based on internal dimensions only.

Local Plan Policy. The two relevant standards are: Building Regulations M4(2) (Accessible and Adaptable Dwellings) and M4(3) (Wheelchair User Dwellings).

- 3.2 The optional access requirement M4(2) (accessible and adaptable dwellings) requires provision to be made to meet the needs of occupants with different needs, including some older and disabled people and some wheelchair users. The requirements of M4(2) state that there should be sufficient provision to allow for the adaptation of the dwelling to meet the changing needs of occupants over time. Together with other specific design requirements, M4(2) necessitates the provision of step-free access to the dwelling and, within the dwelling, step-free access to facilities on the entrance floor and any private outdoor space directly connected to the entrance floor.
- 3.3 Part M of the Building Regulations sets a distinction between wheelchair accessible (a home readily useable by a wheelchair user at the point of completion) and wheelchair adaptable (a home that can be easily adapted to meet the needs of a household including wheelchair users) dwellings. The NPPG states that Local Plan policies for wheelchair accessible homes should be applied only to those dwellings where the local authority is responsible for allocating or nominating a person to live in that dwelling.
- 3.4 Planning policy in Brighton & Hove has for a number of years required that new residential development meets accessibility and adaptability standards. Policy HO13 (Accessible housing and lifetime homes) in the 2005 Brighton & Hove Local Plan requires that new residential dwellings are built to a lifetime homes standard whereby they can be adapted to meet the needs of people with disabilities without major structural alterations. The policy also requires that a proportion of all new dwellings on larger sites (of more than 10 new dwellings) should be built to a wheelchair accessible standard. The policy supporting text states that the percentage of homes to be built to a wheelchair accessible standard on larger (10+) housing sites should be approximately 5% overall (based on the numbers of people in Brighton & Hove holding a disabled persons 'Blue Badge'). In affordable housing schemes, 10% wheelchair accessible housing is sought reflecting registered needs.
- 3.5 The adopted CPP1 has set out the need to encourage active living for all age groups, including healthy living options for older people is addressed in Policy CP18 (Healthy City) and the need for developments to be inclusive, adaptable and accessible is addressed in Policy CP12 (Urban Design).
- 3.6 CPP2 Policy DM1 (Housing Quality, Choice and Mix) sets a requirement for all residential units to be built to the requirements of Building Regulations M4(2). The policy also sets out in schemes over 10 or dwellings, 10% of the affordable residential units and 5% of all the residential units should be suitable for occupation by a wheelchair user in accordance with Building Regulation M4(3).
- 3.7 These requirements build on Policy HO13 (Accessible housing and lifetime homes) in the current adopted 2005 Brighton & Hove Local Plan. That policy was a response to objectives of securing equal access to housing for people with disabilities and meeting the needs of households as their occupants grow older or circumstances change. Since the adoption of the 2005 Local Plan, the numbers of older residents and those living with disabilities and long term health conditions have increased

substantially, making the requirement for residential accessibility standards even more relevant.

- 3.8 Setting a policy requirement for new housing to be built to the M4(2) standard for accessibility and adaptability will ensure that the housing stock in Brighton & Hove becomes progressively more capable of meeting the long term needs of their occupiers and helps to ensure that households are able to make feasible and effective adaptations to their homes at a cheaper cost or without needing to move.
- 3.9 There has been general support for the policy during the preparation of the CPP2. However, some representations have argued that if applied to all new residential accommodation, the accessibility standards would constrain delivery and may even prevent the conversion of some existing buildings (e.g historic buildings). These comments are mainly from development industry with concerns around viability, which this paper seeks to address. Equally, there is a general support for the policy to be strengthened as seen from the comments from people from wider walks of life. One comment argued that the methodology of arriving at the 2005 policy does not hold anymore and that a more up to date assessment of the need for wheelchair accessible homes is needed for the policy. The Council view is that the need identified in 2005 has only become bigger with increasing ageing population as set out in this paper. This paper also takes account of a number of other factors that confirm that the need has grown.
- 3.10 The HEQIA¹⁵ carried out as part of the preparation of CPP2 on the Policy found that the accessibility standards not only improves the quantity and quality of housing stock for those with impaired mobility, but also supports the needs of increasing ageing demographic, facilitating healthy, independent living for longer.
- 3.11 The sections below provide evidence and justification for adopting the enhanced accessibility and adaptability. The NPPG sets out the following considerations:
- the likely future need for housing for older and disabled people (including wheelchair user dwellings).
 - size, location, type and quality of dwellings needed to meet specifically evidenced needs (for example retirement homes, sheltered homes or care homes).
 - the accessibility and adaptability of existing housing stock.
 - how needs vary across different housing tenures.
 - the overall impact on viability.

Likely Future Need for housing for older and disabled people

- 3.12 According to the 2011 Census figures, 20.6% of the population of Brighton and Hove was aged over 60, which was marginally less relative to regional (21.17%) and national (20.87 %) averages. Although the city has a young population relative to the average, Brighton & Hove's population aged 60+ is set to grow substantially over the coming decades (Table 1). There will be an additional 20,000 over 60s in the city by 2035 (an increase of 39%); an additional 10,800 over 60s in the city by 2035 (an increase of 38%); and an additional 4,800 over 80s (an increase of 43%). The large increase in older residents will inevitably lead to an increase in the need for suitable

¹⁵ <https://www.brighton-hove.gov.uk/sites/brighton-hove.gov.uk/files/FINAL%20HEQIA%20June%202018.pdf>

housing that can be adapted to allow people to remain living independently in their own homes for longer.

Table 1: Projected Population Growth among older adults

ALL	2019	2023	2028	2035	% change
60+	51,800	56,300	63,600	71,800	+39%
70+	28,500	30,000	32,500	39,300	+38%
80+	11,300	11,700	13,800	16,100	+43%

Source: Brighton & Hove City Council

3.13 The Objectively Assessed Housing Need Update, 2015¹⁶ which was prepared to support CPP1 assessed the housing need of the city to 2030 based on the 2012-based Sub-National Population Projections (SNPP) published in May 2014. The resulting figures (Table 2) indicate a substantial increase in the city's population over the City Plan period, with particularly strong growth in the numbers aged 60-74 (45.7%) and 75 or over (33.9%).

Table 2: Projected Population Growth in 2012-based SNPP: 2010-2030 change in Brighton & Hove

	2010	2030	Change in population	% change
Overall Population	269,495	311,689	19,415	7%
Aged 60-74	29,783	43,396	13,613	45.7%
Aged 75 or over	18,438	24,680	6,243	33.9%

3.14 Given the ageing population, and higher levels of disability and health problems amongst older people, the study found that there is likely to be an increased requirement for specialist housing over the plan period. The study recommends that some of the requirement for specialist housing could be part of the general mix of one and two bedroom homes, but built to Lifetime Homes standards in order to attract retired older people looking to 'downsize' but perhaps not wanting to live in specialist retirement.

3.15 A more recent study of Older Persons Housing Needs¹⁷ has been commissioned by the Council to support CPP2. Its findings indicate that there is likely to be increased need for accessible/adaptable and wheelchair adapted housing in the city over the Plan period and through to 2035. The study included extensive research into older residents' housing needs and preferences using focus groups and a questionnaire survey. A key finding of the research was that many older people would like to be supported to remain living independently in their current homes by adapting their current home to make it more accessible. This ties in with the direction of Council policy which is to reduce the number of commissioned care beds (residential and nursing) and to support people to live independently for as long possible, both through the direct provision of specialist housing for older people (e.g supported/sheltered housing and extra care) and by ensuring that mainstream housing is better designed to meet the needs of an ageing population.

¹⁶ GL Hearn Report, 2015

¹⁷ Older Persons Housing in Brighton and Hove, Housing LIN (2019)

- 3.16 The report suggests that whilst some existing housing schemes/units for older people may be suitable for alteration to meet the needs of full time wheelchair users, the specification of new build housing for older people needs to include wheelchair adapted units as well as space standards that permit 'future proofing' in terms of allowing for ageing in place.
- 3.17 These recommendations align with the recently published Government's Prevention Green Paper 'Advancing our health: prevention in the 2020s'¹⁸ which suggests that home adaptations, assistive technology and supported housing will be more important than ever in the 2020s; and seeks to help people to stay independent for longer and supporting those with complex needs including serious mental illness, learning disabilities and autism to lead good quality lives in communities.

Disability

- 3.18 In 2014, 16% (44,569) of residents in the city were disabled or had a long-term health problem that limited their day-to-day activities to some degree. However, limiting life long illness is strongly linked to age. A growing older population is likely to increase the number of people with disabilities. For those aged 65 or more, the incidence of health problems and/or being disabled is considerably higher, with over half (53.7% or 19,158 people) finding their day-to-day activities limited either a little (26.8 per cent) or a lot (26.9 %). This is significant because this age group are likely to have increased needs for services and mobility requirements.
- 3.19 Long term health problems are correlated with deprivation.¹⁹ In the most deprived 20% of areas of the city (the most deprived quintile) 14% of patients have three or more long-term conditions compared with between 9-11% in the other quintile. For those aged 65 years or over, 57% of those in the most deprived quintile have three or more long-term conditions compared to 42% of those in the least deprived quintile. This indicates that there is a need for affordable housing generally, but also in particular parts of the city needs to provide a proportion of enhanced accessibility and adaptability in new homes.
- 3.20 Disabilities are not restricted to older population alone. Applying national figures to the local population, it is estimated that in Brighton & Hove in 2015 there were:
- 13,590 people aged 18-64 with a moderate physical disability
 - 3,777 people aged 18-64 with a serious physical disability
 - Of all of those with a moderate or serious disability, 7,784 have a moderate and serious personal care disability²⁰.
- 3.21 Table 3 shows the population in 18-64 age group with disability is set to rise by over 12% (moderate disability) and by over 15% (serious disability) by 2030.

¹⁸ <https://www.gov.uk/government/consultations/advancing-our-health-prevention-in-the-2020s>

¹⁹ <http://www.bhconnected.org.uk/sites/bhconnected/files/Disability%20in%20Brighton%20%26%20Hove%20October%202015%20-%20Full%20report.pdf>

²⁰ Brighton & Hove Joint Strategic Needs Assessment 2015:

<http://www.bhconnected.org.uk/sites/bhconnected/files/7.5.2%20Adults%20with%20physical%20disabilities%20JNA%202016.pdf>

Table 3: People aged 18-64 predicted to have a moderate or serious physical disability, by age, projected to 2030 ²¹

	2015	2030
Moderate disability (18-64 years)	13,590	15,140
Serious disability (18-64 years)	3,777	4,361

- 3.22 Moreover, in 2014/15, 62 people were accepted as statutorily homeless whose priority need was classified as 'physical disability'. This represented 14.8% of all homeless acceptances in 2015-16 which is higher than the average England of 6.8%²².
- 3.23 Information about the need for housing for wheelchair users is more difficult to obtain, particularly at the local level. At the national level, a research report for Habintag 'Mind the Step: An estimation of housing need among wheelchair users in England' (2010)²³ provides data. The report estimates that there is an unmet need for wheelchair adapted dwellings equivalent to 3.5 per 1000 households (2.8% of all households in England which includes Brighton and Hove). There were 124,258 households in Brighton and Hove in 2011 and applying this national estimation gives an indication of the existing unmet need of 435 households. This broad estimate for unmet housing is set to rise as the population grows in the coming decade.
- 3.24 Given the ageing population, and higher levels of disability and health problems amongst older people, there is likely to be an increased requirement for specialist housing options with enhanced accessibility moving forward. As older people age and their needs change, responding effectively to these changes can enable them to maintain a good quality of life and maintain independent living. Whilst spending £2,000-£20,000 on adaptations to support an older person at home can save £6,000 per year in care costs²⁴.
- 3.25 The Council considers that it is good practice to encourage all new specialist accommodation for older persons to be built to Category 3: wheelchair adaptable standards where viable.
- 3.26 The Older Person Housing Needs Assessment (2019) sets out a quantitative assessment of the estimated need for age designated housing and accommodation for older people in Brighton & Hove based on demographic trends, analysis of the current supply in the city compared with comparator authorities, local policy intentions and evidence from the research with older people in the city. Based on

²¹ Disability in Brighton and Hove, October 2015

<http://www.bhconnected.org.uk/sites/bhconnected/files/Disability%20in%20Brighton%20%26%20Hove%20October%202015%20-%20Full%20report.pdf>

²² Housing Strategy Statistical Bulletin 2014/15 Annual Review. Available at: https://www.brighton-hove.gov.uk/sites/brighton-hove.gov.uk/files/2014-15%20Statistical%20Bulletin%20Annual%20Review_0.pdf

²³ <https://www.habintag.org.uk/download.cfm?doc=docm93jjm4n450.pdf&ver=537>

²⁴ Audit Commission. Building Better Lives. 2009

this evidence, the estimated net requirements for age designated housing and accommodation in Brighton & Hove to 2035 are:

- Housing for older people (e.g. contemporary sheltered housing for rent and retirement housing for sale): 995 units of which 498 for rent and 497 for sale.
- Extra care housing: 431 units of which 216 for rent and 215 for sale.
- Residential care: -74 beds (i.e. no net increase).
- Nursing care: 364 beds.

3.27 In addition, the study anticipates that there will be increasing demand for adaptations to support older people to continue to live in mainstream housing, both in the rented and owner-occupied sectors.

3.28 The local authority housing statistics on social lettings for the year 2018 suggests that there were 14,815 households on the housing register (Table 2) out of which 27% indicated a medical priority suggesting their dwellings at the time of application were considered not fit to accommodate their growing medical needs. The figure is consistent with previous years. In 2017/18 of the properties let, 17% of lets were to households with medical priority. It is not clear what proportion of these homes were wheelchair accessible. Up to 30% lets in band A and B were to households with medical priority²⁵.

Table 4: Households on the Housing Register²⁶

	April 2016	April 2017	April 2018
Households on Housing register	23,419	23,958	14,815
People who need to move on medical or welfare grounds, including grounds relating to a disability	2,319	4,072	4,138

3.29 Given specific figures around actual nature of disability are not available, it is useful to analyse the proportion of applicants in the Housing Register based on the stated mobility code²⁷. Of the applicants currently on housing register 6.09% applicants were from mobility code 1-2. These figures are consistent with the let figures. Of the properties let in 2017/18, 4.3% applicants were from mobility code 1 & 2 indicating properties were built or adapted to wheelchair user needs, and another 21% were from mobility code 3 indicating some form of disability requiring some adaptations.

3.30 The evidence above provides a clear indication of the on-going demand for housing for older and disabled people in the city and the future trends which will see an increased demand. It is considered that requiring a proportion of new housing to be built to the enhanced accessible and adaptable standards will ensure that the housing stock in Brighton and Hove becomes progressively more capable of

²⁵ Households in Bands A and B are households in the most need of housing/re-housing. Households in Band A are identified as being in urgent need to move and those in Band B as being high priority to move. There were 1,312 households on the housing register in Bands A and B; 48% had a medical priority

²⁶ Housing Strategy, 2015

²⁷ Mobility code 1-3 shows a range of severity in mobility (1 being a fulltime wheelchair user; 2 needing to use the wheelchair some of the time and 3 being unable to manage steep gradients and adaptations needed).

responding to the needs of households. The targets chosen to have 10% affordable housing and 5% market housing for wheelchair user reflect the current need. The housing needs of the older persons and disabled people as it currently stands does not justify lowering the percentage of wheelchair accessible housing being required.

3.31 There has been support for the policy during consultation at various stages of the plan production. The Scoping Consultation in 2016 saw strong general support for the introduction of higher optional standards for access and adaptability and an appropriate proportion of wheelchair housing in CPP2 (35 out of 51 responses). Other responses, largely from the development industry, had concerns that higher optional standards could be costly and that policy would need to be flexibly applied accounting for site constraints. There was a good level of support in response to the Draft CPP2 Consultation in summer 2018 with 35 supporting and 10 objecting to the draft Policy DM1. This included representations in support citing the increase in elderly population and households with long term health needs. A small number of representations from the development industry objected to the policy on the grounds that the Building Regulation M4(2) requirement would be likely to constrain housing delivery and may prevent the conversion of some existing buildings (e.g. historic buildings). Representations also argued that the percentage of M4(3) wheelchair accessible units proposed in the draft policy was not supported by up to date evidence of local need.

Evidence of accessible/adaptable homes implemented

3.32 The Brighton & Hove Housing Statistical Bulletin Annual Review indicates that a total of 100 affordable homes were completed in 2017/18. All of the new build homes were built to Lifetime Homes standard and 14 (14%) were fully adapted wheelchair accessible²⁸. 45 (45%) of the homes were extra care 1-bed flats, 10 (10%) were homes for young people providing minimum support and the other 45 (45%) homes were general needs flats²⁹. During 2016/17 there were 53 affordable homes completed through variety of programmes. All the homes were built to lifetime homes standard and 8% were fully adapted wheelchair accessible homes.

Table 5: Fully adapted wheelchair accessible homes between 2016-2018

	No of affordable homes	Fully adapted wheelchair accessible
2018 (Q4)	129	9 (7%)
2017/18	100	14 (14%)
2016/17	53	5 (8%)
2016-2018) average fully adapted wheelchair accessible homes		10%

3.33 This demonstrates that the policy target of 10% of the affordable residential units should be suitable for occupation by a wheelchair user in accordance with Building Regulation M4(3) has been achieved in the affordable housing sector over the past two years. In terms of market housing, through policy HO13 in 2005 Local Plan, the

²⁸ Delivered at Brooke Mead, the council's new extra care scheme (x 6), at Normanhurst Court, one of Housing's 'Hidden Homes' projects (x 2) and at Kite Place (x 6).

²⁹ <https://www.brighton-hove.gov.uk/sites/brighton-hove.gov.uk/files/2017-18%20Annual%20Review%20-%20WEBSITE.pdf>

Council has been actively implementing the 5% target in private market housing. Some of the bigger schemes approved in 2019 such as St Aubin's School in Rottingdean (93 dwellings), King's House in Grand Avenue (169 dwellings) (BH2018/00868), Amex House BH2018/00340 (168 dwellings) including bigger schemes of yesteryears such as Preston Barracks (BH2017/00492) (363 dwellings) and Anston House (BH2016/02499 (229 dwellings) have included conditions relating to Wheelchair accessible units. Overall, the Council has been consistent in seeking to achieve these targets in smaller schemes although with flexibility especially in smaller schemes.

- 3.34 The Council's Housing Adaptations Service is responsible for the delivery of all major housing adaptations (those costing in excess of £1,000) in council and private sector homes. Housing adaptations provide essential support for people with long term and substantial disabilities or illness to retain or regain their independence at home, e.g. enabling people to get in to and out of their home safely independently by improving the access to it, adapting bathrooms and kitchens, and providing better freedom of movement around the home and access to the garden.
- 3.35 In 2017/18 the team delivered a total of 374 major housing adaptations across both council and private sector homes investing a total of £2.3m. The high demand for adaptations in the existing housing stock highlights the importance of implementing accessibility standards in new build housing which will help to reduce the demand/need for retro-fitted adaptations which are more costly and disruptive to the occupiers.

Viability

- 3.36 As part of the Government's Housing Standards Review consultation, cost analysis was produced by EC Harris³⁰. This report considered the impact of implementing the M4(2) and M4(3) building regulation standards in terms of 'extra over' costs, the enhanced space requirements of implementing these standards and the impact on the sales value of the property (which may offset some or all of the additional build costs). The average extra over access cost per dwelling was approximately total of £2,447 for houses and £1,646 for flats for meeting Part M4 (2) standards. This is based on an average extra over access cost per dwelling (£682/dwelling) alongside the average access related space cost per dwelling but without allowing for cost recovery (£1,444/ dwelling). For Part M4(3) the same report indicates average extra over costs to be £15,691 for flats and £26,816 for houses. The conclusion was that the additional costs caused insignificant impact on viability.
- 3.37 At a local level, the CIL Viability Study undertaken by Dixon Searle in 2017 (along with successive addendums in Feb 2018 and November 2018) assessed the impact of the introduction of the M4(2) and M4(3) accessibility standards (alongside the NDSS and other City Plan policy requirements) on a range of residential development typologies and scenarios. The viability testing applied the EC Harris cost estimates (see above) to factor in the extra over costs of meeting the M4(2) and M4(3) standards, based on the assumption that all new homes (100%) would be built to the M4(2) standard and 10% of all affordable housing built to M4(3). As with the

³⁰ Housing Standards Review, Cost Impacts (DCLG, 2014)

NDSS, the accessibility and wheelchair standards proposed in Policy DM1 have therefore been fully incorporated within the viability testing which supports the City Plan policies for developer contributions and infrastructure delivery.

4. Conclusion

- 4.1 The Council considers that the requirements for technical housing standards set out in CPP2 Policy DM1 Housing Quality, Mix and Choice are reasonable and justified. The policy requirements are supported by up to date evidence on the need and demand for a range of dwelling types and sizes for market housing. The policy sets out minimum internal space standards that will ensure that new residential development in the city will provide acceptable living conditions for future occupants.
- 4.2 Given that there is a growing number of elderly and disabled people in Brighton & Hove, there is an increasing need for accessible and adaptable housing that will enable them to live independently for longer. The adaptability and accessibility standards set out in Policy DM1 are therefore considered to be justified where viability is not compromised.
- 4.3 The CIL Viability Study 2017 (and subsequent addendums) demonstrates that the introduction of space standards and accessibility standards should not have any significant impact on the viability of delivering housing within the city.
- 4.4 Brighton & Hove's housing stock is set to grow significantly over the City Plan period. As such it is important that these developments provide a high standard of design and make a positive contribution to the health and wellbeing of their residents. The space and accessibility standards as set out in the policy will help to ensure that all new residential development meets the needs of residents now and in the long term.

Appendix: Table 2 - Minimum gross internal floor areas and storage (sq.m)

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

Technical Requirements:

- a. *the residential unit provides at least the gross internal floor area and built-in storage area set out in Table 2 above*
- b. *a residential unit with two or more bedspaces has at least one double (or twin) bedroom*
- c. *in order to provide one bedspace, a single bedroom has a floor area of at least 7.5 sq.m and is at least 2.15m wide*
- d. *in order to provide two bedspaces, a double (or twin bedroom) has a floor area of at least 11.5m*
- e. *one double (or twin bedroom) is at least 2.75m wide and every other double (or twin) bedroom is at least 2.55m wide*
- f. *any area with a headroom of less than 1.5m is not counted within the Gross Internal Area unless used solely for storage (if the area under the stairs is to be used for storage, assume a general floor area of 1 sq.m within the Gross Internal Area)*
- g. *any other area that is used solely for storage and has a headroom of 900 - 1500mm (such as under eaves) is counted at 50% of its floor area, and any area lower than 900mm is not counted at all*
- h. *a built-in wardrobe counts towards the Gross Internal Area and bedroom floor area requirements but should not reduce the effective width of the room below the minimum widths set out above. The built-in area in excess of 0.72 sq.m in a double bedroom and 0.36 sq.m in a single bedroom counts towards the built-in storage requirement*
- i. *the minimum floor to ceiling height is 2.3m for at least 75% of the Gross Internal Area*

Notes (added 19 May 2016):

- 1. Built-in storage areas are included within the overall GIAs and include an allowance of 0.5 sq.m 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 bedspaces. 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 1b1p has a shower room instead of a bathroom, the floor area may be reduced from 39 sq.m to 37 sq.m, as shown bracketed.*
- 4. Furnished layouts are not required to demonstrate compliance.*



Brighton & Hove
City Council