**Comparison of Current Affordable Homes Programme standards and Housing Standards Review proposals**

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| **Issue** | **Current AHP 2011-15 housing standards** | **2015-18 AHP (HSR technical consultation)** |  |
| **Energy Efficiency** | Code for Sustainable Homes Level 3 | Building regulation Part L only. (Code phased out from early 2015)1 | Building Regulation |
| **Security** | Secured By Design physical elements (part 2)2 | PAS 24: 20123 doors and windows. (New regulation Part Q) |
| **Waste** | Building regulation Part H | Building regulation Part H  (added amenity clarification) |
| **Accessibility** | Building regulation Part M | Building regulation Part M: Optional requirements for category 2 and 34 | Building Regulation Optional |
| **Water Efficiency** | 105l/p /day (litres per person per day) within CSH level 3 | Building regulation part G, 125l/p/day: Optional requirement of 110 l/p /day5 |
| **Space Standards** | Required through HQI | HCA benchmarking6 | Nationally described standard |
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| **Internal layout requirements** such as furniture layouts and storage | Required through HQI | HCA will gather data at detailed scheme submission stage on bedroom sizes and storage space | HCA bidding data submission only |
| **External elements** – location, visual impact, open space, routes and movements. | Required (through Building for Life minimum scores) | Report score achieved against Building for Life 12 (Red / Amber/Green) |

1 Intention to set on site minimum energy requirements for new buildings at Level 4 of CSH in 2016 with remaining carbon to be abated through allowable solutions (see section below for more detail)

2 Through mandatory points for security contained within the Code for Sustainable Homes. Equivalent to PAS 24:2012 requirements)

3 Publically Available Specification

4 Categories 2 and 3 broadly equivalent to previous Lifetime Homes and Wheelchair standards. Category 3 option to condition accessible (where allocation policies apply or adaptable (ie private housing)

5 Includes 5l/p/d external use so equivalent to CSH level 3 105l/p/d which covers internal use only

6 Homes and Communities Agency (HCA) will benchmark proposals against Nationally Described space standard

**Q: What does this mean for the HCA?**

**A:**

* The HCA will no longer require specific design and sustainability standards as a condition of funding.
* Standards will be applied through the Building Regulations (BR) (for energy, security, waste) with optional requirements being introduced in the Building Regulations for the first time (accessibility and water efficiency).
* HCA will monitor partners’ performance on space, internal and external layouts through IMS data returns.

**Q: What does this mean for HCA Partners?**

**A:**

* Responsibility for application of optional standards in the Building Regulations will pass to Local Authorities with responsibility for compliance passing to Building Control.
* Responsibility for the Nationally Described Space Standard (NDSS) will pass to Local Authorities.
* Local Authorities will not be able to require higher energy requirements than the Building Regulations or though the Code for Sustainable Homes (which will be wound down). This will take effect from the time that the Deregulation Bill is passed (expected early 2015).

**Background / Introduction**

The outcome of the first Housing Standards Review (HSR) consultation to streamline standards for new homes was published in a [written Ministerial Statement](https://www.gov.uk/government/news/stephen-williams-announces-plans-to-raise-housing-standards) on 13 March 2014. This set out that the majority of proposals from the review are to become part of building regulations during the remaining period of this parliament.

Following this announcement, the HCA published an addendum to the 2015-18 Affordable Homes Programme prospectus on our website which clarifies the technical requirements that bidders will be expected to meet or consider in submitting their bids. <http://www.homesandcommunities.co.uk/ourwork/affordable-homes-programme-2015-18>

A second HSR **technical** consultation was issued on Friday 12 September, with an accompanying [written Ministerial Statement](http://www.parliament.uk/documents/commons-vote-office/September%202014/12%20September/3-Housing-Standards.pdf) and [Press release](https://www.gov.uk/government/news/slashing-red-tape-to-boost-british-housebuilding), **and closes on 7 November 2014.**

The consultation provides:

* An introduction to the use of optional (non-mandatory) requirements within building regulations
* Draft updated building regulations in respect of accessibility, water efficiency and solid waste storage
* A new building regulation covering security
* A nationally described space standard
* Further clarity regarding energy efficiency in respect of zero carbon policy in 2016
* Impact assessments and associated reports
* Provides information regarding changes in process and compliance (including the use of proposed documentation by planning authorities)
* Asks respondents to comment on the detail contained within the draft building regulations, nationally described standard and proposed processes including viability testing
* Sets out transitional arrangements.

While there may be some changes following consultation, our expectation is that the details published today represent the broad final shape of Housing Standards Review outcomes.

There is no conflict with the approach set out in the addendum to the AHP 2015-18 Prospectus, with specific notes on the code for sustainable homes, energy performance, water efficiency, security, accessibility and space standards remaining current (albeit with some specific references requiring an update). However the set of FAQ produced following the first consultation will be updated to answer specific questions where information has been revised or processes confirmed.

This consultation is being used to give developers, planning authorities and others early notice of Government intentions to remove the overlap between planning policy and building regulations.

There will be a mechanism to limit planning authorities’ ability to impose technical standards beyond those which emerged from the HSR.

The circumstances where a local planning authority can apply an optional requirement or a nationally described standard are to be clearly set out in guidance set out by the Government and the setting of any such policy shall be subject to appropriate needs testing and to the National Planning Policy Framework (NPPF) viability test.

**Timing and Transitional arrangements**

**HCA investment partners should note that these changes to regulation, planning policy and transitional arrangements do not remove any contractual commitments in respect of housing standards to be achieved as a condition of funding.**

Responses to this consultation will be considered and form a **statement of policy** which the Government intends to issue in early 2015, subject to Parliamentary approval of the necessary Acts.

It is intended that the statement will be made at the same time as the publication of the associated **building regulation approved documents and nationally described space standard**. These will come into force **six months later in Autumn 2015**.

* The statement of policy will set out Government’s views on how these standards should be applied in Local Plans and neighbourhood plans and in considering planning applications, it will also set out new national planning policy.
* From the date of the statement only standards set out in the Building Regulations optional requirements, the associated Approved Documents and the nationally described space standard should be applied in planning conditions for new housing development.
* As many of the requirements of the Code for Sustainable Homes will be consolidated into the Building Regulations, the Code will be wound down from the time the statement is made **(early 2015).** (There will be arrangements in place to deal with legacy requirements in relation to the Code).
* From the date of the statement, the Government’s policy will be that planning permissions should not be granted subject to conditions requiring compliance with local housing standard other than those set out as a result of the HSR and subsequent policy.
* From the date of the statement and until the building regulations and nationally described space standard come into force **(6 months)** LA’s should have regard to the forthcoming requirements. For example where plan policy requires a Code for Sustainable Homes level only energy and water efficiency should apply.
* When the building regulations and nationally described space standard come into force and where a plan has not been formally reviewed, local plan policies relating to water efficiency, access and space should reference the nearest equivalent optional requirement or NDSS.
* From the date of the statement LPS’s will continue to be able to set and apply policies in their local plan requiring development to comply with energy efficiency standards that exceed the energy requirements of BR’s until the zero carbon home policy has been put in place **(anticipated late 2016).** From that point, the energy efficiency requirements in BR’s will be set at an equivalent to Code level 4.