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Guidance

## Housing: optional technical standards

Guidance on how planning authorities can gather evidence to set optional requirements and the nationally described space standard.

From:

Ministry of Housing, Communities & Local Government

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Where plans are being prepared under the transitional arrangements set out in Annex 1 to the revised National Planning Policy Framework (<https://www.gov.uk/government/publications/national-planning-policy-framework--2>), the policies in the previous version of the framework published in 2012

(<http://webarchive.nationalarchives.gov.uk/20180608095821/https://www.gov.uk/government/publications/national-planning-policy-framework--2>) will continue to apply, as will any previous guidance which has been superseded since the new framework was published in July 2018. If you'd like an email alert when changes are made to planning guidance please subscribe (<https://www.gov.uk/topic/planning-development/planning-officer-guidance/email-signup>).

### Introduction

#### What are the new optional technical housing standards?

The government has created a new approach for the setting of technical standards for new housing. This rationalises the many differing existing standards into a simpler, streamlined system which will reduce burdens and help bring forward much needed new homes. The government set out its policy on the application of these standards in decision taking and plan making in a written ministerial

statement (<https://www.gov.uk/government/speeches/planning-update-march-2015>), which also withdraws the Code for Sustainable Homes aside from legacy cases (<https://www.gov.uk/government/policies/improving-the-energy-efficiency-of-buildings-and-using-planning-to-protect-the-environment/supporting-pages/code-for-sustainable-homes>).

Paragraph: 001 Reference ID: 56-001-20150327

Revision date: 27 03 2015

## **What optional technical housing standards can local planning authorities set?**

Local planning authorities have 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. Local planning authorities will 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 (<https://www.gov.uk/guidance/local-plans--2>).

Mandatory Building Regulations covering the physical security of new dwellings came into force on 1 October 2015 and planning authorities should no longer seek to impose any additional requirements for security of individual dwellings through plan policies, though designing for security of site layout remains a valid planning consideration.

Paragraph: 002 Reference ID: 56-002-20160519

Revision date: 19 05 2016 See previous version

(<http://webarchive.nationalarchives.gov.uk/20151202164624/http://planningguidance.communities.gov.uk/blog/guidance/housing-optional-technical-standards/introduction/>)

## **How should local planning authorities assess viability concerns for setting optional Building Regulation requirements and the nationally described space standard?**

Local planning authorities should consider the impact of using these standards as part of their Local Plan viability assessment. In considering the costs relating to optional Building Regulation requirements or the nationally described space standard, authorities may wish to take account of the evidence in the most recent Impact Assessment (<https://www.gov.uk/government/publications/housing-standards-review-final-implementation-impact-assessment>) issued alongside the Housing Standards Review.

Paragraph: 003 Reference ID: 56-003-20150327

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## **Where can I find out more about the standards?**

Further information on the access standard and water efficiency standard are in the Approved Documents (<https://www.gov.uk/government/collections/approved-documents>).

Further information on the nationally described space standard (<https://www.gov.uk/government/publications/technical-housing-standards-nationally-described-space-standard>) is available from GOV.UK (<https://www.gov.uk/government/policies/providing-effective-building-regulations-so-that-new-and-altered-buildings-are-safe-accessible-and-efficient/supporting-pages/technical-housing-standards-review>).

Paragraph: 004 Reference ID: 56-004-20150327

Revision date: 27 03 2015

## **Accessibility and wheelchair housing standards**

### **Can local planning authorities require accessibility, adaptability and wheelchair standards in new dwellings?**

The National Planning Policy Framework (NPPF) is clear that local planning authorities should plan to create safe, accessible environments and promote inclusion and community cohesion. This includes buildings and their surrounding spaces. Local planning authorities should take account of evidence that demonstrates a clear need for housing for people with specific housing needs and plan to meet this need.

See related policy: Promoting healthy communities (<https://www.gov.uk/guidance/national-planning-policy-framework/8-promoting-healthy-and-safe-communities>)

Paragraph: 005 Reference ID: 56-005-20150327

Revision date: 27 03 2015

### **How should local planning authorities assess the need for accessibility requirements?**

The National Planning Policy Framework requires local planning authorities to have a clear understanding of housing needs in their area, including those for people with specific housing needs. The Framework provides guidance on the methodology (<https://www.gov.uk/guidance/housing-and-economic-development-needs-assessments#methodology-assessing-housing-need>) that can be used to undertake the needs assessments.

See related policy (<https://www.gov.uk/guidance/national-planning-policy-framework/5-delivering-a-sufficient-supply-of-homes>)

Paragraph: 006 Reference ID: 56-006-20150327

Revision date: 27 03 2015

### **What evidence should local planning authorities use to demonstrate a need to set higher accessibility, adaptability and wheelchair housing standards?**

Based on their housing needs assessment and other available datasets it will be for local planning authorities to set out how they intend to approach demonstrating the need for Requirement M4(2) (accessible and adaptable dwellings), and/or M4(3) (wheelchair user dwellings), of the Building Regulations. There is a wide range of published official statistics and factors which local planning authorities can consider and take into account, including:

- 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.

To assist local planning authorities in appraising this data the government has produced a summary data sheet (<https://www.gov.uk/government/publications/building-regulations-guide-to-available-disability-data>). This sets out in one place useful data and sources of further information which planning authorities can draw from to inform their assessments. It will reduce the time needed for undertaking the assessment and thereby avoid replicating some elements of the work.

Paragraph: 007 Reference ID: 56-007-20150327

Revision date: 27 03 2015

## **What accessibility standards can local planning authorities require from new development?**

Where a local planning authority adopts a policy to provide enhanced accessibility or adaptability they should do so only by reference to Requirement M4(2) and/or M4(3) of the optional requirements in the Building Regulations and should not impose any additional information requirements (for instance provision of furnished layouts) or seek to determine compliance with these requirements, which is the role of the Building Control Body. They should clearly state in their Local Plan what proportion of new dwellings should comply with the requirements. There may be rare instances where an individual's needs are not met by the wheelchair accessible optional requirement – see paragraph 011 below.

Local Plan (<https://www.gov.uk/guidance/local-plans--2>) policies should also take into account site specific factors such as vulnerability to flooding, site topography, and other circumstances which may make a specific site less suitable for M4(2) and M4(3) compliant dwellings, particularly where step free access cannot be achieved or is not viable. Where step-free access is not viable, neither of the Optional Requirements in Part M should be applied.

Paragraph: 008 Reference ID: 56-008-20160519

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(<http://webarchive.nationalarchives.gov.uk/20151202164624/http://planningguidance.communities.gov.uk/blog/guidance/housing-optional-technical-standards/accessibility-and-wheelchair-housing-standards/>)

## **What issues should local planning authorities consider in determining whether dwellings should be fully wheelchair accessible or adaptable?**

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.

Local Plan (<https://www.gov.uk/guidance/local-plans--2>) 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.

Paragraph: 009 Reference ID: 56-009-20150327

Revision date: 27 03 2015

## **How should authorities determine whether accessible and adaptable or wheelchair user dwellings (M4(2) or M4(3)) should be required in non-lift serviced flats?**

The Building Regulations for accessible and adaptable or wheelchair user dwellings require that these types of dwelling should achieve step-free access. In setting policies requiring M4(2) and M4(3) compliant dwellings, local planning authorities will need to assess whether this has an impact on non-lift serviced multi-storey development in their local housing mix. Where step-free access in this type of development is not viable, neither of the Optional Requirements in Part M should be applied.

Paragraph: 010 Reference ID: 56-010-20150327

Revision date: 27 03 2015

### **Where an individual has specific needs that would not be met by the wheelchair accessible optional requirement can a local planning authority ask for a different standard?**

Where there is a very specific and clearly evidenced accessibility need, which is outside of what is provided for by the wheelchair accessible standard, a local planning authority can have different requirements in order to meet that need. This should only be required to meet the needs of a specific individual and therefore should only be required of a home where a local authority allocation policy applies. Such a requirement would also be subject to viability considerations.

Paragraph: 011 Reference ID: 56-011-20150327

Revision date: 27 03 2015

### **Where can I find out more about the access standard?**

See Approved Document M, volume 1 – access to and use of dwellings and volume 2 – access to and use of buildings other than dwellings (<https://www.gov.uk/government/publications/access-to-and-use-of-buildings-approved-document-m>).

Paragraph: 012 Reference ID: 56-012-20150327

Revision date: 27 03 2015

## **Water efficiency standards**

### **Can local planning authorities require a tighter water efficiency standard in new dwellings?**

In setting out how the planning system should contribute to the achievement of sustainable development, the National Planning Policy Framework and guidance makes clear this includes planning to provide the high quality housing required to meet the needs of present and future generations, and helping to use natural resources prudently. The Framework's policies expect local planning authorities to adopt proactive strategies to adapt to climate change that take full account of water supply and demand considerations. Early engagement between local planning authorities and water companies can help ensure the necessary water infrastructure is put in place to support new development. See water supply guidance (<https://www.gov.uk/guidance/water-supply-wastewater-and-water-quality>). The local planning authority may also consider whether a tighter water efficiency requirement for new homes is justified to help manage demand.

Paragraph: 013 Reference ID: 56-013-20150327

Revision date: 27 03 2015

## What standard should be applied to new homes?

All new homes already have to meet the mandatory national standard set out in the Building Regulations (of 125 litres/person/day). Where there is a clear local need, local planning authorities can set out Local Plan (<https://www.gov.uk/guidance/local-plans--2>) policies requiring new dwellings to meet the tighter Building Regulations optional requirement of 110 litres/person/day.

Paragraph: 014 Reference ID: 56-014-20150327

Revision date: 27 03 2015

## How should local planning authorities establish a clear need?

It will be for a local planning authority to establish a clear need based on:

- existing sources of evidence.
- consultations with the local water and sewerage company, the Environment Agency and catchment partnerships. See paragraph 003 of the water supply guidance (<https://www.gov.uk/guidance/water-supply-wastewater-and-water-quality#catchment-based-approach>)
- consideration of the impact on viability and housing supply of such a requirement.

Paragraph: 015 Reference ID: 56-015-20150327

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## What are the existing sources of evidence?

Primary sources of evidence which might support a tighter water efficiency standard for new dwellings are:

- The Environment Agency Water Stressed Areas Classification (2013) ([https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/244333/water-stressed-classification-2013.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/244333/water-stressed-classification-2013.pdf)) which identifies areas of serious water stress where household demand for water is (or is likely to be) a high proportion of the current effective rainfall available to meet that demand.
- Water resource management plans produced by water companies.
- River Basin Management Plans (<https://www.gov.uk/government/collections/river-basin-management-plans-2015>) which describe the river basin district and the pressure that the water environment faces. These include information on where water resources are contributing to a water body being classified as 'at risk' or 'probably at risk' of failing to achieve good ecological status, due to low flows or reduced water availability.

In addition to these primary data sources, locally specific evidence may also be available, for example collaborative 'water cycle studies' may have been carried out in areas of high growth.

Paragraph: 016 Reference ID: 56-016-20150327

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## Where can I find out more about the water efficiency standard?

See further information on the water efficiency standard

(<https://www.gov.uk/government/publications/sanitation-hot-water-safety-and-water-efficiency-approved-document-g>).

Paragraph: 017 Reference ID: 56-017-20150327

Revision date: 27 03 2015

## **Internal space standards**

### **Can local planning authorities require internal space standards in new homes?**

The National Planning Policy Framework says that local planning authorities should identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand.

Where a local planning authority (or qualifying body) wishes to require an internal space standard, they should only do so by reference in their Local Plan to the nationally described space standard (<https://www.gov.uk/government/publications/technical-housing-standards-nationally-described-space-standard>).

See related policy (<https://www.gov.uk/guidance/national-planning-policy-framework/5-delivering-a-sufficient-supply-of-homes>)

Paragraph: 018 Reference ID: 56-018-20150327

Revision date: 27 03 2015

### **What standard should be applied to new homes?**

The requirements of the space standard are set out in a supporting document – the nationally described space standard (<https://www.gov.uk/government/publications/technical-housing-standards-nationally-described-space-standard>).

Paragraph: 019 Reference ID: 56-019-20150327

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### **How should local planning authorities establish a need for internal space standards?**

Where a need for internal space standards is identified, local planning authorities should provide justification for requiring internal space policies. Local planning authorities should take account of the following areas:

- 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, for example, to consider any potential impact on meeting demand for starter homes.
- 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.

Paragraph: 020 Reference ID: 56-020-20150327

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## **Who is responsible for ensuring compliance with the internal space standard?**

Unlike other aspects of the Housing Standards Review, the space standard has not been incorporated into the Building Regulations. Establishing compliance and any enforcement action therefore rests with the local planning authority.

Building control bodies may choose to provide checking of the space standard in development proposals as an additional service alongside carrying out their building control function. In these circumstances, local planning authorities may wish to avoid further additional checking of plans with regard to space standards.

Paragraph: 021 Reference ID: 56-021-20150327

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## **Where can I find out more about the nationally described space standard?**

Further information on the nationally described space standard (<https://www.gov.uk/government/publications/technical-housing-standards-nationally-described-space-standard>) is available from GOV.UK (<https://www.gov.uk/government/policies/providing-effective-building-regulations-so-that-new-and-altered-buildings-are-safe-accessible-and-efficient/supporting-pages/technical-housing-standards-review>).

Paragraph: 022 Reference ID: 56-022-20150327

Revision date: 27 03 2015

## **Can developers and designers obtain type approval of plan compliance with the nationally described space standard?**

Planning authorities should accept evidence from either a building control body or another planning authority that has already assessed plan layouts that they meet the requirements of the nationally described space standard. Discharge of conditions by checking the size of dwellings once built remains the responsibility of and at the discretion of the planning authority.

Further information on the nationally described space standard (<https://www.gov.uk/government/publications/technical-housing-standards-nationally-described-space-standard>) is available from GOV.UK (<https://www.gov.uk/government/policies/providing-effective-building-regulations-so-that-new-and-altered-buildings-are-safe-accessible-and-efficient/supporting-pages/technical-housing-standards-review>).

Paragraph: 023 Reference ID: 56-023-20160519

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