

WRITTEN MINISTERIAL STATEMENT

DEPARTMENT FOR COMMUNITIES AND LOCAL GOVERNMENT

Building Regulations

Minister for Communities (Stephen Williams):

New homes need to be high quality, accessible and sustainable. To achieve this, the Government is [today](#) setting out a roadmap delivering a radically simplified system for setting standards in the design and construction of new homes by the end of this Parliament. This represents the outcome of a significant and ambitious drive to reduce the regulatory burden on the housing industry, and will save money and time for industry and authorities. The roadmap will involve consolidating essential requirements into a national framework centered on the Building Regulations, reducing substantially the number of technical standards applying to the construction of new homes. These changes will hugely improve the situation for all involved in this sector, by rationalising and simplifying the many overlapping and confusing standards currently in operation. We are also able to do this whilst improving quality, safeguarding environmental protections, and protections for disabled people. We consulted on the Housing Standards Review proposals in the second half of last year, which set out proposals to rationalise the proliferation of housing related standards, guidance and codes above those required by Building Regulations. The Government is today also publishing the summary analysis of the responses to the 2013 Housing Standards Review consultation.

Taking account of the responses to the consultation, an outcome of the housing and construction red tape challenge, the Government has decided that the most sensible way forward is for any necessary technical standards as far as possible to be consolidated into the Building Regulations and the accompanying Approved Documents, and to make significant progress on this over the rest of this Parliament. A note is being placed in the Library of the House, setting out how the Government intends to proceed with each of the standards examined in the consultation

The Government recognises that it is not always possible or desirable to require a single national standard for all new development, and that local discretion is in some circumstances sensible. To facilitate this, the consultation proposed the introduction of new powers in the Building Act which would enable different levels of performance where these were necessary to meet certain local circumstances. These requirements would be triggered by conditions set in a local plan, subject to the normal plan making process of evidencing need and testing viability. So today I can announce we are introducing measures to ensure that the system includes new flexibility to respond to local circumstances where needed.

There are significant benefits to this arrangement. Building Regulations apply nationally across England and provide a clear and consistent set of requirements for home builders to meet, and for building control bodies to apply. Checking compliance will in the future be undertaken through building control, removing the current maze of compliance regimes and systems and reducing costs not only to developers but to local authorities. The Government will work with local authority building control bodies and Approved Inspectors on putting this approach into practice.

Setting requirements solely in Building Regulations will help to provide the certainty needed to ensure that home builders know what they need to do, and can deliver high quality new homes which meet local community's needs. Implementing this approach will reduce over 100 standards to fewer than 10, and will provide significant cost savings for industry.

The Government will press ahead with the work to consolidate necessary standards into the Regulations during this Parliament. Draft regulations and technical standards will be published in the summer, with necessary statutory regulations and supporting approved documents coming into force at the turn of the year. The Government has also today tabled amendments to the Deregulation Bill currently before the House, to make necessary changes to existing legislation to enable this approach.

The consultation made clear the Government's intention that planning authorities should only use the standards emerging from the review process. The Government will issue a statement later this year when the new standards are published, which will explain how this policy will be implemented.

This means that many of the requirements of the Code for Sustainable Homes will be consolidated into Building Regulations, which would require substantial changes to the content of the current Code, as well as a reconsideration of its role. In the light of this, the Government thinks that the current Code will need to be wound down to coincide with the changes incorporating the new standards coming into force. The Government will make further announcements on the transitional arrangements, and the handling of legacy developments being built out to current Code requirements. The Government is also interested in hearing from industry as to the value of elements of the Code being taken forward on a voluntary basis.

Building Regulations

This note supports the Written Ministerial Statement made by the Minister for Communities on 13th March 2014. It sets out how each of the themes covered in the Housing Standards Review consultation are to be taken forward.

Access

Minimum access standards in Part M (Access to and use of buildings) will be retained. In addition, an optional level of accessibility will be introduced in Part M which will set out criteria for age friendly, accessible and adaptable housing. We will also set out within Part M an optional standard which will set out criteria setting out the specific needs of wheelchair adaptable and accessible housing.

These optional levels would not be universally mandatory, but local authorities will be able to adopt them to meet local needs, according to local circumstances or individual needs, and subject to viability testing.

Security

The Government recognises the value of a single minimum security standard for new homes, based on industry's best practice. The Government is considering the evidence on whether such a standard should be applied to all new homes, as a Building Regulation applied nationally or whether it would be more proportionate if applied on a local basis.

Water

We propose to introduce a new, tighter level of water efficiency into the Building Regulations, to be set at 110 litres/person/day (lpd). This would be an optional higher level in addition to the current level of 125 lpd which could only be applied in areas with specific local needs (such as water stress). This would be chosen by the local authority. Government is considering the best way to define areas of water stress to ensure this works in practice.

Energy

We propose a "Building Regulations only" approach, with no optional additional local standards in excess of the provisions set out in Part L of the Regulations.

In Budget 2013 the Government reaffirmed its commitment to implement the zero carbon homes policy for new homes from 2016. This will be achieved through a strengthening of the energy performance requirements in Part L of the Building Regulations (incorporating carbon compliance, energy efficient fabric and services), and the delivery of allowable solutions.

Space

We believe that it is right that local communities and neighbourhoods have the ability to shape the nature of new development in their local areas. However, a proliferation of localised and varying space standards creates a potentially significant barrier to delivery of

housing. We will therefore develop a new national standard – not a Building Regulation - which will offer a consistent set of requirements with regard to the internal area of new homes. This will have two different sets of specifications, based on a consolidation of existing space standards used by authorities across the country. Application of the standard will be optional for local authorities to use and they will need to justify its application according to evidenced needs and subject to local plan viability testing. This will help to balance the needs of local communities whilst ensuring that the home building industry can deliver at volume in a cost effective manner.

Other Standards

Government considered a range of other issues in the Housing Standards Review consultation. The Government is not taking forward any work on these matters during this Parliament.