

SOCIAL HOUSING BRIEFING NOTE

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National and Local Housing Policies

This briefing note looks into the targets that social housing providers will have to meet in order to satisfy national and local housing policies. This includes the Decent Homes Standard (revised in June 2006), The Home Health and Safety Rating System (HHSRS), the Planning Policy Statement on Renewable Energy, the 10% Merton Rule and The Nottingham Declaration.

A) The Decent Homes Standard (last revised June 2006).

In 2000, the government made a commitment to bring all public sector homes up to a decent standard by 2010.

This placed a responsibility on councils to set a timetable for eliminating backlog repairs in their stock, carrying out ongoing maintenance and taking the necessary actions to ensure these targets are met. To achieve this, authorities needed to:

- assess the level and type of disrepair within their stock, compared to the decent homes standard, and how much it would cost to bring homes up to standard
- use an analysis of the local housing market, particularly relating to demand and supply for council housing, to decide whether and where stock should be demolished
- assess the options available to them for raising the necessary investment, to determine which are viable and which is the preferred option
- work to improve their repairs, maintenance and improvement services to ensure they are achieving the best value for money

A decent home is one which is wind and weather tight, warm and has modern facilities.

It meets the following four criteria:

- 1) It must meet the current statutory minimum standard for housing –the Housing Health and Safety Rating System (HHSRS). HHSRS replaces the fitness standard and risk assessment procedure elements of the Decent Home Standard.
- 2) It is in a reasonable state of repair
- 3) It has reasonably modern facilities and services
- 4) It provides a reasonable degree of thermal comfort

The Thermal Comfort Criteria

The revised June 2006 definition requires a dwelling to have both efficient heating and effective insulation. Efficient heating is defined as:

- any gas or oil programmable central heating;
- electric storage heaters;
- warm air systems;

- underfloor systems;
- programmable LPG/solid fuel central heating;
- similarly efficient heating systems which are developed in the future.

The primary heating system must have a distribution system sufficient to provide heat to two or more rooms of the home. There may be storage heaters in two or more rooms, or other heaters that use the same fuel in two or more rooms. Even if the central heating system covers most of the house making a dwelling decent, under the Home Safety and Rating System a landlord must be sure that the home is warm enough for the occupant.

Heating sources which provide less energy efficient options fail the Decent Homes standard. Programmable heating is where the timing and the temperature of the heating can be controlled by the occupants. However this is not a requirement in supported housing or housing for older persons where it is necessary for health and safety reasons for landlords to ensure adequate levels of heating are maintained.

Because of the differences in efficiency between gas/oil heating systems and the other heating systems listed, the level of insulation that is considered to be appropriate also differs:

For dwellings with gas/oil programmable heating, cavity wall insulation (if there are cavity walls that can be insulated effectively) **or** at least 50mm loft insulation (if there is loft space) is considered to be an effective package of insulation; and

For dwellings heated by electric storage heaters/LPG/programmable solid fuel central heating a higher specification of insulation is required: at least 200mm of loft insulation (if there is a loft) **and** cavity wall insulation (if there are cavity walls that can be insulated effectively).

Loft insulation thickness of 50mm is a minimum designed to trigger action on the worst housing. Where insulation is being fitted, landlords should take the opportunity to improve the energy efficiency and install insulation to a much greater depth.

Decent Homes Plus

The government have expressed their desire to see a more ambitious Decent Homes Standard to supersede the current 2010 standard. The Select Committee has recommended that a more 'aspirational Decent Homes Plus' target be set for a later date, the scope of which should be broader and demand a higher standard. The initial target date suggested by the government is in the 2015-2020 range and at the moment, Decent Homes Plus is still at the concept stage.

B) The Housing Health and Safety Rating System (HHSRS)

The Housing Health and Safety Rating System (HHSRS) is a new approach to the assessment of risks to health and safety in residential premises. Local authorities will base enforcement decisions in respect of all residential premises on assessments under HHSRS. This reform will enable local authorities to address more effectively the hazards to health and safety present in the home.

HHSRS assesses twenty nine categories of housing hazard including factors which were not covered or covered inadequately by the housing fitness standard. It provides a rating for each hazard. It does not provide a single rating for the dwelling as a whole or, in the case of multiple occupied dwellings, for the building as a whole. A hazard rating is expressed through a numerical score which falls within a band. There are 10 bands. Scores in Bands A to C are Category 1 hazards. Scores in Bands D to J are Category 2 hazards.

The HHSRS assessment is based on the risk to the potential occupant who is most vulnerable to that hazard. For example, stairs constitute a greater risk to the elderly, so for assessing hazards relating to stairs they are considered the most vulnerable. The very young

as well as the elderly are susceptible to low temperatures. A dwelling that is safe for those most vulnerable to a hazard is safe for all.

A Standard Assessment Procedure (SAP) rating of less than 35 (using the 2001 SAP methodology) has been established as a proxy for the likely presence of a Category 1 hazard from excess cold. From April 2007, local authorities will report energy efficiency using the new SAP 2005 methodology.

Enforcement

Action by authorities will be based on a three-stage consideration:

- (a) the hazard rating determined under an HHSRS assessment;
- (b) whether the authority has a duty or power to act, determined by the presence of a hazard above or below a threshold prescribed by Regulations; and
- (c) the authority's judgement as to the most appropriate course of action to deal with the hazard.

The Act contains new enforcement options which are available to local authorities. The choice of the appropriate course of action is for the authority to decide, having regard to the statutory enforcement guidance.

The courses of action available to authorities where they have either a duty or a power to act are to:

- serve an improvement notice requiring remedial works;
- make a prohibition order, which closes the whole or part of a dwelling or restricts the number of permitted occupants;
- suspend these types of notice;
- take emergency action;
- serve a hazard awareness notice;
- make a demolition order;
- declare a clearance area.

C) Planning Policy Statement 22 (PPS22) – Renewable Energy

Planning Policy Statements (PPS) set out the Government's national policies for different aspects of land use planning in England. PPS22 replaces Planning Policy Guidance Note 22 (PPG22) issued in 1993, the annexes issued in 1994 and the photovoltaics annex issued in 2002. PPS22 sets out the government's policies for renewable energy which planning authorities should have regard to when taking planning decisions.

The policies set out in this statement are taken into account by regional planning bodies and the Mayor of London in the preparation of regional spatial strategies (or the Spatial Development Strategy in London), and by local planning authorities in the preparation of local development documents. They may also be material to decisions on individual planning applications. National policies set out in other planning policy statements or PPGs may also be relevant to consideration of planning for renewable energy.

For the purposes of this PPS, renewable energy covers those energy flows that occur naturally and repeatedly in the environment - from the wind, the fall of water, the movement of the oceans, from the sun and also from biomass. Policies in the statement therefore cover technologies such as onshore wind generation, hydro, photovoltaics, passive solar, biomass and energy crops, energy from waste (but not energy from mass incineration of domestic waste), and landfill and sewage gas.

Regional planning bodies and local planning authorities should adhere to the following key principles in their approach to planning for renewable energy:

- (i) Renewable energy developments should be capable of being accommodated throughout England in locations where the technology is viable, environmental, economic, and social impacts can be addressed satisfactorily.

- (ii) Regional spatial strategies and local development documents should contain policies designed to promote and encourage, rather than restrict, the development of renewable energy resources. Regional planning bodies and local planning authorities should recognise the full range of renewable energy sources, their differing characteristics, locational requirements and the potential for exploiting them subject to appropriate environmental safeguards.
- (iii) At the local level, planning authorities should set out the criteria that will be applied in assessing applications for planning permission for renewable energy projects. Planning policies that rule out or place constraints on the development of all, or specific types of, renewable energy technologies should not be included in regional spatial strategies or local development documents without sufficient reasoned justification. The Government may intervene in the plan making process where it considers that the constraints being proposed by local authorities are too great or have been poorly justified.
- (iv) The wider environmental and economic benefits of all proposals for renewable energy projects, whatever their scale, are material considerations that should be given significant weight in determining whether proposals should be granted planning permission.
- (v) Regional planning bodies and local planning authorities should not make assumptions about the technical and commercial feasibility of renewable energy projects (e.g. identifying generalised locations for development based on mean wind speeds). Technological change can mean that sites currently excluded as locations for particular types of renewable energy development may in future be suitable.
- (vi) Small-scale projects can provide a limited but valuable contribution to overall outputs of renewable energy and to meeting energy needs both locally and nationally. Planning authorities should not therefore reject planning applications simply because the level of output is small.
- (vii) Local planning authorities, regional stakeholders and Local Strategic Partnerships should foster community involvement in renewable energy projects and seek to promote knowledge of and greater acceptance by the public of prospective renewable energy developments that are appropriately located. Developers of renewable energy projects should engage in active consultation and discussion with local communities at an early stage in the planning process, and before any planning application is formally submitted.
- (viii) Development proposals should demonstrate any environmental, economic and social benefits as well as how any environmental and social impacts have been minimised through careful consideration of location, scale, design and other measures.

D) The Merton 10% Rule

The '10% rule' is the planning policy pioneered by the borough of Merton, which has set a precedent for the integration of renewable energy in the UK's built environment. The London Borough of Merton was the first to confirm the government's renewable energy targets in its adopted Unitary Development Plans (UDP), setting the target for onsite energy generation from renewables for all new major developments (over 10 domestic dwellings) in the borough at 10%.

Croydon have followed Merton's lead, and their first project designed to reach the '10% target' is currently underway. North Devon has chosen to demand 15% on-site generation from renewables, a trend that has drawn increasing interest from local authorities across the UK.

E) The Nottingham Declaration

In recognition of the significant part that Local Authorities play in reducing carbon emissions, the Nottingham Declaration on Climate Change has been established. Through signing the declaration, councils can show their commitment to this important issue and work with others to help cut emissions. Over 100 Local Authorities have already signed up to this including Gloucester and Cheltenham City Councils in Gloucestershire. In the declaration the council:-

i) acknowledges that

- evidence shows that climate change is occurring.
- climate change will continue to have far reaching effects on the UK's people and places, economy, society and environment.

ii) welcomes the

- social, economic and environmental benefits which come from combating climate change.
- emissions targets agreed by central government and the programme for delivering change, as set out in the UK Climate Change Programme.
- opportunity for local government to lead the response at a local level, encouraging and helping local residents, local businesses and other organisations - to reduce their energy costs, to reduce congestion, to adapt to the impacts of climate change, to improve the local environment and to deal with fuel poverty in our communities.
- endorsement of this declaration by central government.

iii) commits to

- work with central government to contribute, at a local level, to the delivery of the UK Climate Change Programme, the Kyoto Protocol and the target for carbon dioxide reduction by 2010.
- participate in local and regional networks for support.
- within the next two years develop plans with partners and local communities to progressively address the causes and the impacts of climate change, according to local priorities, securing maximum benefit for our communities.
- publicly declare, within appropriate plans and strategies, the commitment to achieve a significant reduction of greenhouse gas emissions from the authority's operations, especially energy sourcing and use, travel and transport, waste production and disposal and the purchasing of goods and services.
- assess the risk associated with climate change and the implications for our services and our communities of climate change impacts and adapt accordingly.
- encourage all sectors in the local community to take the opportunity to adapt to the impacts of climate change, to reduce their own greenhouse gas emissions and to make public their commitment to action.
- monitor the progress of our plans against the actions needed and publish the results.

The Energy Saving Trust has produced an 'Action Pack' for use by the Local Authorities. The pack provides detailed guidance for each of the 5 stages required to develop an action plan.

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