

(Informal Joint) Cabinet



St Edmundsbury
BOROUGH COUNCIL

Title:	Agenda
Date:	Tuesday 14 November 2017
Time:	<p>6.00 pm Open Forum At each Cabinet meeting, up to 15 minutes shall be allocated for questions from and discussion with, non-Cabinet members in Part 1(A) of the agenda only. Members wishing to speak during this session should if possible, give notice in advance. Who speaks for and for how long will be at the complete discretion of the person presiding.</p> <hr/> <p>6.00 pm <i>(or at the conclusion of the Open Forum, whichever is the later)</i> Members of the public who live or work in the Borough (or Forest Heath District) are invited to put one question or statement of not more than three minutes duration relating to items to be discussed in Part 1(A) of the agenda only. If a question is asked and answered within three minutes, the person who asked the question may ask a supplementary question that arises from the reply.</p> <p>A person who wishes to speak must register at least 15 minutes before the time the meeting is scheduled to start.</p> <p>There is an overall limit of 15 minutes for public speaking, which may be extended at the Chairman's discretion.</p> <hr/> <p>6.15 pm The formal meeting of the Cabinet will commence at 6.15 pm or immediately following the conclusion of the informal discussions, whichever is the later, in the Council Chamber.</p>
Venue:	<p>Council Chamber District Offices College Heath Road Mildenhall Suffolk IP28 7EY</p>

Membership:	<p style="text-align: center;">Leader John Griffiths</p> <p style="text-align: center;">Deputy Leader Sara Mildmay-White</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;">Councillor</td> <td style="width: 50%;">Portfolio</td> </tr> <tr> <td>Robert Everitt</td> <td>Families and Communities</td> </tr> <tr> <td>Sara Mildmay-White</td> <td>Housing</td> </tr> <tr> <td>John Griffiths</td> <td>Leader</td> </tr> <tr> <td>Ian Houlder</td> <td>Resources and Performance</td> </tr> <tr> <td>Alaric Pugh</td> <td>Planning and Growth</td> </tr> <tr> <td>Jo Rayner</td> <td>Leisure and Culture</td> </tr> <tr> <td>Peter Stevens</td> <td>Operations</td> </tr> </table>	Councillor	Portfolio	Robert Everitt	Families and Communities	Sara Mildmay-White	Housing	John Griffiths	Leader	Ian Houlder	Resources and Performance	Alaric Pugh	Planning and Growth	Jo Rayner	Leisure and Culture	Peter Stevens	Operations
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Interests – Declaration and Restriction on Participation:	Members are reminded of their responsibility to declare any disclosable pecuniary interest not entered in the Authority's register or local non pecuniary interest which they have in any item of business on the agenda (subject to the exception for sensitive information) and to leave the meeting prior to discussion and voting on an item in which they have a disclosable pecuniary interest.																
Quorum:	Three Members																
Committee administrator:	<p>Claire Skoyles Democratic Services Officer Tel: 01284 757176 Email: claire.skoyles@westsuffolk.gov.uk</p>																

Public Information

Venue:	District Offices College Heath Road Mildenhall Suffolk IP28 7EY	Tel: 01284 757176 Email: democratic.services@westsuffolk.gov.uk Web: www.westsuffolk.gov.uk
Access to agenda and reports before the meeting:	Copies of the agenda and reports are open for public inspection at the following address at least five clear days before the meeting. They are also available to view on our website. West Suffolk House Western Way Bury St Edmunds Suffolk IP33 3YU	
Attendance at meetings:	The West Suffolk Councils actively welcome members of the public and the press to attend its meetings and holds as many of its meetings as possible in public.	
Public participation:	Members of the public who live or work in the Borough/District are invited to put one question or statement of not more than three minutes duration relating to items to be discussed in Part 1 of the agenda only. If a question is asked and answered within three minutes, the person who asked the question may ask a supplementary question that arises from the reply. A person who wishes to speak must register at least 15 minutes before the time the meeting is scheduled to start. There is an overall time limit of 15 minutes for public speaking, which may be extended at the Chairman's discretion.	
Disabled access:	The public gallery is on the first floor and is accessible via stairs. There is not a lift but disabled seating is available at the back of the Council Chamber on the ground floor. Please see the Committee Administrator who will be able to help you.	
Induction loop:	An Induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter.	
Recording of meetings:	The Councils may record this meeting and permits members of the public and media to record or broadcast it as well (when the media and public are not lawfully excluded). Any member of the public who attends a meeting and objects to being filmed should advise the Committee Administrator who will instruct that they are not included in the filming.	

Agenda

Procedural Matters

All Members of Forest Heath District Council's Cabinet will be in attendance to enable informal discussions on the reports listed in Items 4. and 5. below to take place between the two authorities:

Councillor

David Bowman
Andy Drummond
Stephen Edwards
Robin Millar
Lance Stanbury
James Waters

Portfolio

Operations
Leisure and Culture
Resources and Performance
Deputy Leader/Families and Communities
Planning and Growth
Leader

QUORUM: *Three Members*

On the conclusion of the informal joint discussions, the Cabinet will hold its formal meeting in the Council Chamber as follows:

Part 1 (A) - Public

1. Apologies for Absence

2. Open Forum

(This item was undertaken at the beginning of the informal discussions, to allow Members to consider the issues raised by the non-Cabinet members in relation to Items 4. and 5. inclusive. The Open Forum on Item 6. will be subject to the following rules.)

At each Cabinet meeting, up to 15 minutes shall be allocated for questions from and discussions with, non-Cabinet members in **Part 1(B)**. Members wishing to speak during this session should if possible, give notice in advance. Who speaks and for how long will be at the complete discretion of the person presiding.

3. Public Participation

(Public speaking on Items 4. and 5. inclusive was undertaken at the beginning of the informal discussions, to allow Members to consider the issues raised by the members of the public. Public speaking on Item 6. will be subject to the following rules)

Members of the public who live or work in the Borough are invited to put one question or statement of not more than three

minutes duration relating to items to be discussed in **Part 1(B)** of the agenda only. If a question is asked and answered within three minutes, the person who asked the question may ask a supplementary question that arises from the reply.

A person who wishes to speak must register at least 15 minutes before the time the meeting is scheduled to start.

There is an overall limit of 15 minutes for public speaking, which may be extended at the Chairman's discretion.

(Following the informal discussions held with Forest Heath District Council's (FHDC) Cabinet on Items 4. and 5. below, Members are asked to refrain from partaking in any further discussion. Separate formal meetings of both FHDC and St Edmundsbury Borough Councils' Cabinets will then commence with Members being requested to formally resolve Items 4. and 5. below.)

NON-KEY DECISIONS

- 4. Recommendations of the SEBC/FHDC Overview and Scrutiny Committees - 8 and 9 November 2017: Development of a West Suffolk Growth Investment Strategy** **1 - 4**
- Report No: **CAB/SE/17/058**
Portfolio Holders: Lance Stanbury (FHDC) and Alaric Pugh (SEBC)
Chairmen of Committees: Simon Cole (FHDC) and Diane Hind (SEBC)
Lead Officer: Julie Baird
- (For reference purposes, Forest Heath District Council's Report Number is CAB/FH/17/055)*
- 5. Technical Advice Note: Space Standards for Residential Development** **5 - 16**
- Report No: **CAB/SE/17/059**
Portfolio Holders: Sara Mildmay-White and Alaric Pugh
Lead Officers: Julie Baird, Simon Phelan and Marie Smith
- (For reference purposes, Forest Heath District Council's Report Number is CAB/FH/17/056)*

Part 1 (B) - Public

NON-KEY DECISIONS

- 6. Guildhall and 79 Whiting Street, Bury St Edmunds** **17 - 20**
- Report No: **CAB/SE/17/060**
Portfolio Holder: Joanna Rayner Lead Officer: Alex Wilson

Part 2 – Exempt

NONE

(Informal Joint) Cabinet



St Edmundsbury
BOROUGH COUNCIL

Title of Report:	Recommendations of the SEBC/FHDC Overview and Scrutiny Committees – 8 and 9 November 2017: Development of a West Suffolk Growth Investment Strategy	
Report No:	CAB/SE/17/058	
Report to and date:	SEBC/FHDC (Informal Joint) Cabinets	14 November 2017
Chairmen of the Overview and Scrutiny Committees:	<p>Councillor Simon Cole Chairman of the FHDC Overview and Scrutiny Committee Tel: 07974 443762 Email: simon.cole@westsuffolk.gov.uk</p> <p>Councillor Diane Hind Chairman of the SEBC Overview and Scrutiny Committee Tel: 01284 706542 Email: diane.hind@stedsbc.gov.uk</p>	
Portfolio holders:	<p>Councillor Lance Stanbury FHDC Portfolio Holder for Planning and Growth Tel: 07970 947704 Email: lance.stanbury@forest-heath.gov.uk</p> <p>Councillor Alaric Pugh SEBC Portfolio Holder for Planning and Growth Tel: 07930 460899 Email: alaric.pugh@stedsbc.gov.uk</p>	
Lead officer:	<p>Julie Baird Assistant Director (Growth) Tel: 01284 757163 Email: Julie.baird@westsuffolk.gov.uk</p>	

Purpose of report:	This report sets out the recommendations from the SEBC/FHDC Overview and Scrutiny Committees from their meetings held on 8 and 9 November 2017 respectively (which will be reported to the SEBC/FHDC Cabinets accordingly, following these meetings), on the principles proposed for the emerging West Suffolk Growth Investment Strategy.		
Recommendation:	Subject to the SEBC/FHDC Overview and Scrutiny Committees providing any further recommendations to the SEBC/FHDC Cabinets (which will be reported to the Cabinets following their meetings on 8 and 9 November 2017) on factors to consider as the emerging Strategy is developed, the SEBC Cabinet is <u>RECOMMENDED</u> to endorse the principles of the emerging West Suffolk Growth Investment Strategy (as outlined in Appendix 1) to this report.		
Key Decision: <i>(Check the appropriate box and delete all those that do not apply.)</i>	<i>Is this a Key Decision and, if so, under which definition?</i> Yes, it is a Key Decision - <input type="checkbox"/> No, it is not a Key Decision - <input checked="" type="checkbox"/>		
Consultation:	The Investment Strategy Principles have been subject to review by the West Suffolk Joint Growth Steering Group		
Alternative option(s):	The Overview and Scrutiny Committees may wish to propose additional principles or other options as they consider appropriate.		
Implications:			
<i>Are there any financial implications? If yes, please give details</i>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> • No financial implication as a direct result of this presentation or paper		
<i>Are there any staffing implications? If yes, please give details</i>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
<i>Are there any ICT implications? If yes, please give details</i>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
<i>Are there any legal and/or policy implications? If yes, please give details</i>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
<i>Are there any equality implications? If yes, please give details</i>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Risk/opportunity assessment:		<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>	
Risk area	Inherent level of risk (before controls)	Controls	Residual risk (after controls)
Failure to invest in the right activities could mean we are failing to achieve the most effective value for money and outcomes for the area	Low	The emerging investment strategy will provide a clear framework under which investment decisions can be made	Low

Ward(s) affected:	N/A
Background papers: <i>(all background papers are to be published on the website and a link included)</i>	Report No: CAB/SE/17/020 to Cabinet 28 March 2017: Establishing a mechanism for investing in our growth agenda
Documents attached:	Appendix 1 - Presentation setting out the principles to form the development of the final Strategy (to follow)

1. Key issues and reasons for recommendation(s)

- 1.1 The Medium Term Strategy 2017-2020 set the principle that both Councils would invest to support the wider growth agenda. In February 2017, as part of the main Budget and Council Tax setting process, both Councils approved a revolving capital growth investment fund of £20m each, funded from external borrowing.
- 1.2 A paper was subsequently presented to both SEBC/FHDC Cabinets in March and April 2017. This approved creation of a £1m revenue reserve to facilitate next steps, including preparation of an overarching Growth Investment Strategy. This embedded the principle that development of the Strategy should include the involvement of the Overview and Scrutiny Committees.
- 1.3 The April 2017 Cabinet report identified the role the Strategic Plan 2018- 2020 will have in setting the direction and priorities for Growth. The Strategic Plan, which is currently being prepared, is essential in shaping the development of the overarching Growth Investment Strategy as well as performing an important role in setting the overall strategic direction for our Councils.
- 1.4 At this stage, Officers are proposing a set of principles to ultimately inform the development of the final Strategy. The principles have been considered by the West Suffolk Joint Growth Steering Group at their meeting on 9 October 2017 and after consideration by the SEBC/FHDC Overview and Scrutiny Committees on 8 and 9 November 2017 respectively, will be presented to the SEBC/FHDC Cabinet meetings on 14 November 2017. The final Strategy itself will then be developed for subsequent agreement.
- 1.5 The SEBC/FHDC Overview and Scrutiny Committees will be considering the principles, as set out in the presentation, at their meetings on 8 and 9 November 2017 (a copy of which will also be circulated to the Members of the Cabinets, once available). The recommendations of the Overview and Scrutiny Committees will then be referred to the Cabinets. The Committees will also be considering any other factors which should also be assessed by the Cabinets as the final Strategy is developed.

(Informal Joint) Cabinet



St Edmundsbury
BOROUGH COUNCIL

Title of Report:	Technical Advice Note: Space Standards for Residential Development	
Report No:	CAB/SE/17/059	
Report to and date:	SEBC/FHDC (Informal Joint) Cabinets	14 November 2017
Portfolio holders:	<p>Cllr Sara Mildmay-White SEBC Portfolio Holder for Housing and West Suffolk Lead for Housing Tel: 01359 270580 Email: sara.mildmay-white@stedsbc.gov.uk</p> <p>Cllr Alaric Pugh SEBC Portfolio Holder for Planning and Growth Tel: 07930 460899 Email: alaric.pugh@stedsbc.gov.uk</p>	
Lead officers:	<p>Simon Phelan Service Manager (Strategic Housing) Tel: 01638 719440 Email: simon.phelan@westsuffolk.gov.uk</p> <p>Marie Smith Service Manager (Planning Strategy) Tel: 01638 719260 Email: marie.smith@westsuffolk.gov.uk</p>	
Purpose of report:	To seek approval from Cabinet to introduce an interim Technical Advice Note on space standards for residential development that we will seek to require housing developers to adhere to.	

Recommendations:	<p>It is <u>RECOMMENDED</u> that Cabinet:</p> <p>(1) approves the adoption of an interim Technical Advice Note on Space Standards for Residential Development, as contained in Appendix A to Report No: CAB/SE/17/059, in line with the Government's Nationally Described Space Standards; and</p> <p>(2) notes that when a new joint West Suffolk Local Plan is produced it is proposed to include requirements around space standards as part of a specific design policy.</p>
<p>Key Decision:</p> <p><i>(Check the appropriate box and delete all those that do not apply.)</i></p>	<p><i>Is this a Key Decision and, if so, under which definition?</i></p> <p>Yes, it is a Key Decision - <input type="checkbox"/></p> <p>No, it is not a Key Decision - <input checked="" type="checkbox"/></p>
<p><i>The decisions made as a result of this report will usually be published within 48 hours and cannot be actioned until five clear working days of the publication of the decision have elapsed. This item is included on the Decisions Plan.</i></p>	
Consultation:	<ul style="list-style-type: none"> • Consultation has been carried out with Leadership Team, the relevant SEBC and FHDC Portfolio Holders, the West Suffolk Joint Growth Steering Group and both SEBC and FHDC Development Control Committees
Alternative option(s):	<ul style="list-style-type: none"> • The West Suffolk councils could choose not to introduce Technical Advice Note on Space Standards for Residential Development and continue to have to negotiate on every scheme with developers.
Implications:	
<p>Are there any financial implications? If yes, please give details</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <ul style="list-style-type: none"> •
<p>Are there any staffing implications? If yes, please give details</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <ul style="list-style-type: none"> •
<p>Are there any ICT implications? If yes, please give details</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <ul style="list-style-type: none"> •
<p>Are there any legal and/or policy implications? If yes, please give details</p>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <ul style="list-style-type: none"> •
<p>Are there any equality implications? If yes, please give details</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <ul style="list-style-type: none"> •
Risk/opportunity assessment:	<p><i>(potential hazards or opportunities affecting corporate, service or project objectives)</i></p>

Risk area	Inherent level of risk (before controls)	Controls	Residual risk (after controls)
No minimum space standards in place – Developers continue to build units below Government’s Nationally Described Space Standards	High	Technical Guidance note introduce so developers are aware of West Suffolk’s aspirations around space standards	Medium
Introducing a minimum space standard will discourage developers from building in west Suffolk	Medium/Low	Having a clearly defined Space Standards policy will make it clear to developers what they will be expected to adhere to in West Suffolk	Low
Ward(s) affected:	All Ward/s		
Background papers: <i>(all background papers are to be published on the website and a link included)</i>	None		
Documents attached:	Appendix A - Technical Advice Note: Space Standards for Residential Development		

1. Key issues and reasons for recommendation(s)

1.1 Rationale for introducing Technical Guidance Note

1.1.1 Currently neither Forest Heath nor St Edmundsbury Councils have within their development plans a policy that requires developers to adhere to constructing properties to a minimum space standard. Recently issues have arisen with developers building, or proposing to build properties, both open-market and affordable, which are well below the Government’s Nationally Described Space Standards. This is causing issues where a number of Registered Providers have not been willing to make offers to purchase the S106 affordable units, subsequently leading to the risk that the Council may lose these properties as affordable units.

1.1.2 Additionally, national research has raised concerns over the potential long-term negative impact of the small sizes of some of the “open market” houses on the occupant’s health and wellbeing, and/or an inability for the houses to be future-proofed. In West Suffolk, for example, issues have arisen recently with developers proposing small sized properties on sites in Bury St Edmunds, Newmarket and Red Lodge.

1.1.3 The table below provides a comparison for some of the more common house sizes currently being built or proposed:

	Builder Average across West Suffolk	Government’s Technical Standard	Minimum sizes Registered Providers will accept
1BF 2P	43 m2	50 m2	50 m2
2BH 4P	60 m2	79 m2	75 m2
3BH 5P	80 m2	93 m2	88 m2
4BH 6P	102 m2	106 m2	102 m2
5BH 8P	153 m2	128 m2	128 m2

1.1.4 Unfortunately it is not possible to apply a new policy to which we can require housing developers to comply with, until the new joint West Suffolk Local Plan is produced. We can, however, produce a technical advice note setting out our preferred minimum space standards, which developers will be advised to have regard to. It is proposed that West Suffolk adopt the Government’s Nationally Described Space Standards, as the minimum standard to which we would want builders/ developers to aspire to build new properties.

1.1.5 Evidence from other authorities across the country who have included a minimum space standards as policy within their Local Plan is that this has not discouraged developers from continuing to build within their area.

Technical Advice Note: Space Standards for Residential Development

1. Introduction

1.1 This Technical Advice Note sets out West Suffolk Council’s interpretation of the Nationally Described Space Standards published in March 2015, and which came into full effect in October 2015. It should be read in conjunction with Building Regulations requirement M4 (2) ‘accessible and adaptable dwellings’.

1.2 This Technical Advice Note will help West Suffolk Council to apply appropriate space standards when considering applications for residential (Use Class C3) development in West Suffolk. This will result in residential developments that: are well designed and fit for purpose, have a positive impact on residents’ health and well-being, provide adequate space for occupants’ amenities and enable greater adaptability in terms of lifetime change.

2. The National Technical Standard

2.1 In March 2015, the Government introduced a ‘Nationally Described Space Standard’ (or National Standard for short). This sets out more detailed minimum standards than the previous Design and Quality Standards. The full standards are available on the Government’s website¹ and reproduced in Appendix 1, and should be read as a whole. However a summary table is provided below.

Table 1 - Minimum gross internal floor areas and storage (m²) Number of bedrooms (b)

Number of bedrooms (b)	Number of bed spaces (persons)	1 storey dwellings	2 storey dwellings	3 storey dwellings	Built-in storage
1b	1p	39 (37) ¹²			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	

¹ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/524531/160519_Nationally_Described_Space_Standard_Final_Web_version.pdf

² Where a one person flat has a shower room rather than a bathroom, the floor area may be reduced from 39m² to 37m²

2.2 In a Ministerial Statement² in 2015, the Government set out how they wished local planning authorities to implement the new National Standard. In cases where a Local Plan already included internal space standards, the following would apply:

"From 1 October 2015: Existing Local Plan, neighbourhood plan, and supplementary planning document policies relating to water efficiency, access and internal space should be interpreted by reference to the nearest equivalent new national technical standard. Decision takers should only require compliance with the new national technical standards where there is a relevant current Local Plan policy."

2.3 The Ministerial Statement also stated:

"Where policies relating to technical standards have yet to be revised, local planning authorities are advised to set out clearly how the existing policies will be applied in decision taking in light of this statement."

2.4 Planning Inspector T. Shields has recently dismissed a planning application within a residential area of a Lancashire town, for the development of four one-bed flats from the conversion of two single dwelling houses. The appeal was dismissed because of the flats' inadequate living and amenity space despite a housing shortfall in the area. He described "insufficient floor space would be harmful to living conditions of occupiers"³.

The Inspector held that the main issue was whether adequate living conditions existed indoors and outdoors for the occupiers. Inspector T. Shields referred to the DCLG 2015 Technical Housing Standards and noted the floor space for both ground and first floor flats fell below the minimum standards of 37 square metres, and on that basis, the conversions resulted in harm to the living conditions of the occupiers. With respect to outdoor living space for all four flats, the Inspector noted the small size of the yard, its lack of privacy, the poor accessibility of the yard for the occupiers of the first floor flats, and he concluded the space was deficient in terms of an unreasonable level of amenity. In the planning balance he found that the harm to the living conditions of occupiers outweighed the need for the housing.

2.5 Elsewhere, Planning Inspectors have also dismissed appeals on the grounds of the inadequate living conditions of future occupants⁴ in part due to the size of proposed units being less than that within the National Standard.

² Planning update March 2015, written statement to Parliament by the Rt. Hon. Sir Eric Pickles MP, 25th March 2015
<http://www.gov.uk/government/speeches/planning-update-march-2015>

³ Planning Inspector; T.Shield's 3rd January 2017 decision regarding minimum space standards within a residential town of Lancashire. Appeal reference: APP/M2372/C/16/23158608 and APP/M2372/C/16/3158609

⁴ Appeal decisions: APP/L5240/W/15/3132116 - Croydon; APP/G5180/W/15/3129314 – Bromley; APP/Z5060/W/15/3137622 – Barking & Dagenham; APP/L3245/W/16/3142296 – Shropshire; APP/V5570/W/16/3149106 – Islington

3. Applying the National Space Standard in West Suffolk

3.1 In light of the above, **West Suffolk Council intends to require the National Space Standard for new residential (Use Class C3) development** as part of the review of its Local Plan. In the meantime, developers will have regard to this Technical Advice Note, in addition to complying with relevant policies within the current development plan, such as Joint Development Policies Document (JDMPD) Policy DM22 – Residential Design.

3.2 In addition to setting minimum overall internal space standards, the National Standard also sets out minimum space requirements for single and double/twin bedrooms, minimum headrooms for all rooms, and technical requirements for internal storage space.

"Within each new home, rooms and corridors should be comfortable, able to accommodate furniture and household equipment that would be expected in that part of the home, and allow for convenient circulation and access. Ceilings should allow sufficient headroom for people to live and move around; any spaces with insufficient headroom will not generally be counted as habitable space."

3.3 All of criteria set out in **a.** to **i.** in paragraph 10 of the Nationally Prescribed Standard should be applied for residential (Use Class C3) proposals in West Suffolk.

The Internal design standard requires that:

- a.** the dwelling provides at least the gross internal floor area and built-in storage area set out in Table 1 above
- b.** a dwelling 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 7.5m² 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 11.5m²
- 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 1m² within the Gross Internal Area)
- g.** any other area that is used solely for storage and has a head room 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 0.72m² in a double bedroom and 0.36m² 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

4. Outdoor space

4.1 All new residential units will be expected to have direct access to an area of private amenity space. The form of amenity space will be dependent on the form of housing and could include a private garden, roof garden, balcony, glazed winter garden or ground-level patio with defensible space from any shared amenity areas. In providing appropriate amenity space, developments should:

- j.** consider the location and context of the development, including the character of the surrounding area;
- k.** take into account the orientation of the amenity space in relation to the sun at different times of year;

- l. address issues of overlooking and enclosure, which may otherwise impact detrimentally on the proposed dwelling and any neighbouring dwellings; and
- m. design the amenity space to be of a shape, size and location to allow effective and practical use of and level access to the space by residents.

5. Accessible Homes

5.1 In order to create accessible homes:

- a. all housing development should be of a size, configuration and internal layout to enable Building Regulations requirement M4 (2) 'accessible and adaptable dwellings' to be met; and
- b. 5 per cent⁵ of the affordable housing component of every housing development providing or capable of acceptably providing 15 or more self-contained affordable homes⁶, should meet Building Regulations requirement M4 (3) 'wheelchair user dwellings' to be wheelchair accessible or be easily adapted for residents who are wheelchair users.

6. Conversion and sub-division of existing buildings

6.1 The Ministerial Statement states that the National Space Standard, where adopted by the Local Authority, should apply to new housing. New housing will include where an existing building (either an existing house or a building in non-residential use) is converted into flats or smaller dwelling units. The National Space Standards, as related above, will apply to such developments where planning permission is required.

6.2 However some residential development can be created under permitted development rights. An example is where a non-residential building is proposed for conversion into flats: provided that no physical external work is required which requires planning permission, this can usually be achieved through a 'prior approval' process. In such instances, the local planning authority has no power to seek particular standards or conditions. Therefore the space standards are not applicable to these types of developments.

7. Compliance with the National Standard

7.1. Compliance with the criteria should be demonstrated in the Planning statement and drawings submitted with residential planning applications.

8. Why are Minimum Space Standard required for West Suffolk.

8.1 The Minimum Space Standard (National Standard) will enable the construction of new (market and affordable) dwellings within West Suffolk of a good quality, that are fit for purpose, including providing an adequate level of amenity for future occupants. The National Standard reinforces existing policies within the development plan such as JDMPD Policy DM22 on Residential Design, which seeks high quality design.

8.2 Another of the rationales for including a requirement for minimum space standards is because of the rented tenure on affordable homes, which have to be fully occupied to avoid attracting an under-occupancy penalty (bedroom tax). The Council's housing allocations policy reflects this. The removal of the HCA Housing Quality Indicators system (as a measure of the quality of affordable homes), means that there is no longer a safeguard in place to ensure that

⁵ Rounded up to the nearest whole unit.

⁶ Part M of the Building Regulations generally does not apply to dwellings resulting from a conversion or a change of use. Additional guidance on the applicable requirements of the Building Regulations (amended 2015) can be found in: Approved Document M Access to and use of buildings Volume 1: Dwellings.

affordable housing is built to a reasonable size standard. The absence of any regulation of space standards means that developers have no incentive to ensure that homes (that will need to be occupied to maximum capacity), are fit for purpose.

8.2 In light of the above, West Suffolk Council considers the Government's national space standards as the minimum acceptable space standards that should be applied to build both open market and affordable housing within West Suffolk.

8.3 It is the intention of West Suffolk Council to include a policy requirement for all new homes to be built to the national space standards in the next version of their Local Plan. This Technical Advice Note is therefore an interim measure until such time as we go out to public consultation on our emerging combined West Suffolk Local Plan.

9. Contact

9.1 Please use the following contacts to ask any questions you may have on the content of this note.

Strategic Housing on housing.development@westsuffolk.gov.uk or 01638 719344 or
Planning Policy on planning.policy@westsuffolk.gov.uk or 01284 757368

Appendix 1: Nationally Described Space Standard

Technical housing standards – nationally described space standard

March 2015 Department for Communities and Local Government

Introduction

1. This standard deals with internal space within new dwellings and is suitable for application across all tenures. It sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling height.
2. The requirements of this standard for bedrooms, storage and internal areas are relevant only in determining compliance with this standard in new dwellings and have no other statutory meaning or use.

Using the space standard

3. The standard Gross Internal Areas set out in Table 1 are organised by storey height to take account of the extra circulation space needed for stairs to upper floors, and deal separately with one storey dwellings (typically flats) and two and three storey dwellings (typically houses).
4. Individual dwelling types are expressed with reference to the number of bedrooms (denoted as 'b') and the number of bedspaces (or people) that can be accommodated within these bedrooms (denoted as 'p'). A three bedroom (3b) home with one double bedroom (providing two bed spaces) and two single bedrooms (each providing one bed space) is therefore described as 3b4p.
5. This allows for different combinations of single and double/twin bedrooms to be reflected in the minimum Gross Internal Area. The breakdown of the minimum Gross Internal Area therefore allows not only for the different combinations of bedroom size, but also for varying amounts of additional living, dining, kitchen and storage space; all of which are related to the potential occupancy.
6. Relating internal space to the number of bedspaces is a means of classification for assessment purposes only when designing new homes and seeking planning approval (if a local authority has adopted the space standard in its Local Plan). It does not imply actual occupancy, or define the minimum for any room in a dwelling to be used for a specific purpose other than in complying with this standard.
7. Minimum floor areas and room widths for bedrooms and minimum floor areas for storage are also an integral part of the space standard. They cannot be used in isolation from other parts of the design standard or removed from it.
8. The Gross Internal Area of a dwelling is defined as the total floor space measured between the internal faces of perimeter walls¹ that enclose the dwelling. This includes partitions, structural elements, cupboards, ducts, flights of stairs and voids above stairs. The Gross Internal Area should be measured and denoted in square metres (m²).
9. The Gross Internal Areas in this standard will not be adequate for wheelchair housing (Category 3 homes in Part M of the Building Regulations) where additional internal area is required to accommodate increased circulation and functionality to meet the needs of wheelchair households.

Technical requirements

10. The standard requires that:

The Internal design standard requires that:

- n. the dwelling provides at least the gross internal floor area and built-in storage area set out in Table 1 below
- o. a dwelling with two or more bedspaces has at least one double (or twin) bedroom
- p. in order to provide one bedspace, a single bedroom has a floor area of at least 7.5m² and is at least 2.15m wide
- q. in order to provide two bedspaces, a double (or twin bedroom) has a floor area of at least 11.5m²
- r. one double (or twin bedroom) is at least 2.75m wide and every other double (or twin) bedroom is at least 2.55m wide
- s. 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 1m² within the Gross Internal Area)
- t. any other area that is used solely for storage and has a head room 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
- u. 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 0.72m² in a double bedroom and 0.36m² in a single bedroom counts towards the built-in storage requirement
- v. the minimum floor to ceiling height is 2.3m for at least 75% of the Gross Internal Area

Table 1 - Minimum gross internal floor areas and storage (m²) Number of bedrooms (b)

Number of bedrooms (b)	Number of bed spaces (persons)	1 storey dwellings	2 storey dwellings	3 storey dwellings	Built-in storage
1b	1p	39 (37) ⁴			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	

⁴ Where a one person flat has a shower room rather than a bathroom, the floor area may be reduced from 39m² to 37m²

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Cabinet



St Edmundsbury
BOROUGH COUNCIL

Title of Report:	Guildhall and 79 Whiting Street, Bury St Edmunds	
Report No:	CAB/SE/17/060	
Report to and date:	Cabinet	14 November 2017
Portfolio holder:	Cllr Joanna Rayner Portfolio Holder for Leisure and Culture Tel: 07872 456836 Email: Joanna.rayner@stedsbc.gov.uk	
Lead officer:	Alex Wilson Director Tel: 01284 757695 Email: alex.wilson@westsuffolk.gov.uk	
Purpose of report:	To update Cabinet on the project and agree actions to conclude the objectives of the original Memorandum of Understanding.	
Recommendation:	<p>It is <u>RECOMMENDED</u> that:</p> <p>(1) subject to the support of the Guildhall Feoffment Trust, and to fulfil the objectives of the 2013 Memorandum of Understanding (as reviewed in 2016), the Council applies to the Charity Commission seeking an amendment to Clause 4 of the scheme of 1894 in respect of the managing trustee role for the Guildhall and 79 Whiting Street, Bury St Edmunds. The said amendment if granted would allow, after the Guildhall reopens as an exhibition and heritage centre in 2018, a complete transfer of management responsibility for the two buildings and associated land to the Bury St Edmunds Heritage Trust Limited which has consented to and supports the application; and</p> <p style="text-align: right;"><i>Continued over....</i></p>	

	(2) a separate partnership agreement be prepared and signed with the Bury St Edmunds Heritage Trust, and any other applicable partners, in relation to the future management of the paintings in the Guildhall, Bury St Edmunds after the new exhibition and heritage centre opens.		
Key Decision: <i>(Check the appropriate box and delete all those that do not apply.)</i>	<i>Is this a Key Decision and, if so, under which definition?</i> Yes, it is a Key Decision - <input type="checkbox"/> No, it is not a Key Decision - <input checked="" type="checkbox"/>		
<i>The decisions made as a result of this report will usually be published within 48 hours and cannot be actioned until five clear working days of the publication of the decision have elapsed. This item is included on the Decisions Plan.</i>			
Consultation:	<ul style="list-style-type: none"> Bury St Edmunds Heritage Trust, Guildhall Feoffment, Portfolio Holder. 		
Alternative option(s):	<ul style="list-style-type: none"> It has already been agreed to transfer the management of the properties to a third party as part of the project, and the options for doing that have been assessed by the Heritage Trust in consultation with its funders and partners, including the Council and Guildhall Feoffment. Consultation on the project itself is managed by the Trust. 		
Implications:			
<i>Are there any financial implications? If yes, please give details</i>		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> See paragraph 1.7 	
<i>Are there any staffing implications? If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
<i>Are there any ICT implications? If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
<i>Are there any legal and/or policy implications? If yes, please give details</i>		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> Transfer of current role in accordance with Charity Law 	
<i>Are there any equality implications? If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Risk/opportunity assessment:		<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>	
Risk area	Inherent level of risk (before controls)	Controls	Residual risk (after controls)
Community management transfer not achieved as agreed at outset of project	Low	Seek Cabinet approval to apply to the Commission for a transfer in good time.	Low

Role is transferred to an inappropriate third party	Low	Project partners assess options and seek advice, and ensure necessary governance is in place in receiving body.	Low
Charity Commission do not agree to transfer	Low	Seek legal advice and work in conjunction with partners to make a compliant application.	Low
Ward(s) affected:		Principally Abbeygate (but indirectly all wards)	
Background papers: <i>(all background papers are to be published on the website and a link included)</i>		Cabinet reports: <ul style="list-style-type: none"> • D333 – 27 March 2013 • CAB/SE/16/028 -14 June 2016 	
Documents attached:		None	

1. Key issues and reasons for recommendations

- 1.1 In 2013, the Council formed a partnership, through a Memorandum of Understanding (MOU), with the Bury St Edmunds Heritage Trust Limited (BSEHT) and Guildhall Feoffment Trust to deliver a project to restore the Guildhall and establish it as an exhibition and heritage centre.
- 1.2 The project has been led by the BSEHT which has been extremely successful in fund-raising and is now managing the restoration process. It is envisaged the Guildhall will reopen in 2018. The Borough Council is fully engaged in the governance of the project as a signatory to the MOU, including through its heritage service. The Council is also hosting a short exhibition about the Guildhall at the Apex from early December 2017 to raise awareness of the project, and to display some of the paintings which are being kept offsite and/or restored during the refurbishment.
- 1.3 The 2013 MOU (reviewed in 2016) provided that, on completion of the project, the managing trustee role for the Guildhall, and the associated property 79 Whiting Street, transfers from the Borough Council to a new management vehicle. The properties are already owned by the Guildhall Feoffment Trust but, under the terms of an 1894 charity scheme, the Borough Council is the managing trustee. One of the aims of the project has always been to transfer management of the properties to the community and, as it is clear now when the project will be completed, it is appropriate to put in place the necessary steps to effect that transfer of role.
- 1.4 Having taken advice, including from the project funders, the BSEHT has concluded that it is best placed to take on the managing trustee role itself, since it is already constituted to do so, which means a new charity or equivalent does not need to be formed. This means that, under the terms of the 2013 MOU, the BSEHT will perform the envisaged role of "Guildhall Management Company". The BSEHT will review its governance arrangements ahead of the Guildhall reopening to reflect the new responsibilities, and will also be employing a manager and other staff to run the new facility day-to-day. Its business plan for the new centre was rigorously tested through funding applications.
- 1.5 As the two parties to the 1894 Scheme, the Council has met with the Guildhall Feoffment to discuss the transfer, and the Feoffment is also supportive of the BSEHT's proposal. The Feoffees will therefore be asked to support any application by the Borough Council to the Charity Commission for the transfer.
- 1.6 It is important to note that nothing in the proposed amendment of the 1894 Scheme in respect of the management of the Guildhall and 79 Whiting Street properties would affect any current rights and responsibilities relating to any other property in Bury St Edmunds, including Moyse's Hall, or to the paintings currently held in the Guildhall and Moyse's Hall, Bury St Edmunds. However, in relation to the paintings in the Guildhall, it is proposed that a separate partnership agreement be prepared in 2018 between the Council and BSEHT to clarify ongoing roles and responsibilities. This will ensure that the support of the Council's heritage team is available to the BSEHT and also avoid any complications in terms of the existing national museum accreditations for the St Edmundsbury Heritage Collection or any future application from the BSEHT for its own accreditation.