



SUPPLEMENTARY PLANNING DOCUMENT

CONSULTATION DRAFT

Subdivision of Dwellings

January 2012

City of York
Local Development Framework Subdivision of Dwellings
Supplementary Planning Document
Consultation Draft January 2012

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 **01904 551550**

SPD Consultation
Integrated Strategy Unit
City of York Council
FREEPOST (YO239)
York
YO1 7ZZ

Phone: (01904) 551482
Email: integratedstrategy@york.gov.uk

www.york.gov.uk/LDF/SPD/

The Council is inviting comments on this Supplementary Planning Document. Representations can be made online or in writing (see details above). A comments form is available however representations by letter or email will also be accepted. Please do not hesitate to contact the Integrated Strategy Unit who will be happy to answer any queries about the consultation (contact details above).

All comments must be received by the Integrated Strategy Unit by **5pm on Monday 5 March 2012.**

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1. Introduction

“Adequate space is a pre-requisite for basic living. There should be enough room for residents to cook, eat, relax and socialise. There should be sufficient space for furniture and the storage of personal possessions. If homes are to have a long life, they must offer functional and adaptable spaces that meet the needs of families, children, older people and disabled residents.”

(CABE – Space in New Homes: What Residents Think - 2009)

- 1.1 The subdivision of existing buildings into smaller residential units can be an important source of new housing in York. It might take different forms such as:
 - Conversion of existing non-residential buildings and vacant properties into dwellings;
 - Subdivision of existing houses into maisonette and/or flats;
 - Conversion of accommodation above shops into flats.
- 1.2 This SPD does not cover existing residential properties where existing rooms are divided to create additional living facilities for the existing single family unit, it only is applicable when a separate living unit is provided.
- 1.3 Conversion and sub-division of existing buildings can be a sustainable form of development as it gives a new lease of life to the existing buildings which might be redundant or economically unviable in their current use. It would reduce the waste and carbon emissions arising from the demolition of the old buildings, the embodied energy in the materials of a demolished building and the construction of new buildings.
- 1.4 With sympathetic alterations to the exterior of the existing buildings, conversion is likely to have a lower visual impact on the street scene by preserving the existing building frontage and respecting the character of the area.
- 1.5 However, unsatisfactory conversion work can result in accommodation which is of an inadequate size and poor quality. The occupants could be exposed to a number of potential problems, such as overlooking, poor outlook, overcrowding and lack of amenity space, noise and disturbance from neighbouring premises, and inconvenient and unsafe access.

What is this Supplementary Planning Document for?

- 1.6 The City of York Local Development Framework Core Strategy sets out a Vision, which is linked to the York Sustainable Community Strategy, through the following themes:

- York's Special Historic and Built Environment;
- Building Confident, Creative and Inclusive Communities;
- A Prosperous and Thriving Economy;
- A Leading Environmentally Friendly City;
- A World Class Centre for Education and Learning for all.

1.7 In line with this Vision, the City of York Council recognises that providing a variety of housing opportunities and allowing people to grow and adapt within their homes helps to encourage strong and sustainable communities. Good quality homes which are well designed will:

- a) cost less to heat, light and maintain;
- b) add value to other homes in the area;
- c) be more flexible in use;
- d) have improved accessibility, safety and security; and
- e) have a reduced environmental impact and lower carbon emissions

1.8 In recent years however, there has been an increasing concern that some of the proposals for subdivision of dwellings in the City have not been of an adequate standard, particularly with regards to their size, access and effects on the amenity of neighbouring occupants.

1.9 Therefore this SPD aims to ensure that where the subdivision of dwellings are proposed, they:

- provide adequate internal space;
- are of a suitable layout;
- have acceptable amounts of internal and external storage space;
- have acceptable levels of facilities;
- do not have an adverse impact on the amenity of neighbouring residents;
- are designed and built to a high standard of sustainability;

How should this SPD be used?

- 1.10 This SPD is intended for the use of developers and architects concerned with the subdivision of properties into smaller properties for residential use. It will be used as a material consideration when determining planning applications.

Does one size fit all?

- 1.11 This SPD sets out the Council's overall principles to ensure a high quality approach and design to safeguard residential amenity in the subdivision of properties. Each individual scheme will be considered on its merits, allowing for flexibility in the design of the scheme to reflect constraints and individual site circumstances.

2. The Planning Context:

National Planning Policies and Guidance:

- 2.1 National policies and guidance in relation to housing design and standards can be found in the following government documents:
- Planning Policy Statements (PPS)1: Delivering Sustainable Development,
 - Planning and Climate Change - Supplement to Planning Policy Statement 1
 - PPS3: Housing
 - PPS9: Biodiversity and Geological Conservation
 - PPS10: Planning for Waste Management
 - Planning Policy Guidance (PPG)13 Transport
 - PPS22: Renewable Energy
 - PPS23: Planning and Pollution Control
 - PPS25: Development and Flood Risk

Local Policies – City of York Local Plan and City of York LDF:

- 2.2 The City of York Local Plan policies are currently adopted for Development Management purposes. Those relevant to subdivision are:
- H8 (Conversions);
 - GP1 (Design);
 - GP4a (Sustainability);
 - GP11 (Accessibility);
 - GP12 (Access to Upper Floors)

2.3 The emerging LDF Core Strategy is at an advanced stage in its production and it is anticipated that it will be examined in early 2012. The policies relevant to subdivision are:

- CS5: Urban Design and the Historic Environment;
- CS7: Balancing York's Housing Market;
- CS21: Sustainable Design and Construction.

2.4 The strategic impact of these policies is aimed to ensure that:

- only existing dwellings of 4 or more bedrooms as originally built are subdivided, therefore protecting the existing stock of smaller family dwellings for family use, which is vital to ensure a balance of family dwellings to meet current and future needs;
- local form, character, scale, density, mass and design in residential areas is protected;
- homes are adaptable to the needs of all York's residents throughout their lives;
- subdivided homes contribute to York's renewable energy / low carbon targets;
- high standards of sustainable design and construction are delivered;
- subdivided dwellings should be accessible to people with mobility problems, sensory impairment, and carers with children;
- where dwellings on upper floors above independent ground floor uses such as shops and offices are subdivided, independent accesses to the dwellings are provided or maintained;
- dwellings are resilient to a changing climate throughout their useful life.

Examples of good practice and guidance from external bodies:

2.5 The guidelines set out in this SPD are based on a number of recommended standards and guidelines from external organisations with respect to subdivision. Website links to these guidelines are included in Annex A.

3. Guidance for the Subdivision of Dwellings - the key principles:

i) Is the original dwelling big enough to be converted?

- 3.1 In order to maintain the variety of housing stock in the City to meet future needs, in particular the needs for family housing, Policy H8 of the City of York Local Plan (4th Set of Changes 2005) states that only existing dwellings with 4 or more bedrooms will be considered suitable for subdivision. It is also to ensure that the new units created provide an acceptable standard of accommodation in terms of internal arrangement and room sizes.
- 3.2 Therefore, in order to protect the existing small family housing stock, and to allow for adequate residential space standards in the proposed subdivided dwelling, the subdivision of existing properties of less than 4 bedrooms will not be permitted.
- 3.3 Small houses are versatile, being suitable for families with children who need access to a garden as well as meeting the needs of household with more flexible accommodation. It is also often in the form of older terraced houses, one of the main sources of lower price family housing in the City.

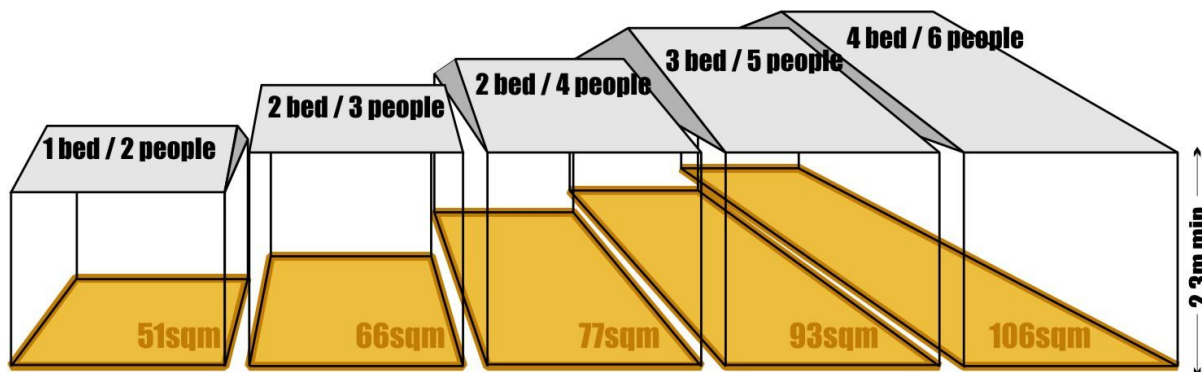
ii) Location of Proposed Development:

- 3.4 If the subdivision of a property results in a House of Multiple Occupation, and is located in the main urban area (and therefore subject to the Article 4 Direction) consideration should be given to the draft Supplementary Planning Document on 'Controlling the Concentration of Houses in Multiple Occupation' (currently the subject of a separate consultation). In other cases, the Council considers that houses in areas or long stretches of road consisting of mostly family housing, will not be suitable for subdivision, in order to protect the current character of the area. This will be based on the merits of individual streets and neighbourhoods.

iii) Residential Space Standards:

- 3.5 The new dwellings formed by sub-division and conversion of existing buildings are required to provide satisfactory accommodation in terms of size and layout and to meet the minimum size standard for individual dwellings and habitable rooms.
- 3.6 In line with the requirements of the English Partnerships Minimum Space Standards, the following minimum internal space standards should be applied to new subdivided dwellings:

Number of bedrooms / persons	Minimum internal space (m ²)
1 bedroom / 2 person homes	51sqm
2 bedroom / 3 person homes	66sqm
2 bedroom / 4 person homes	77sqm
3 bedroom / 5 person homes	93sqm
4 bedroom / 6 person homes	106sqm



Minimum Space Standards

3.7 These standards apply to net internal floor spaces. These standards are intended to help ensure that subdivided homes are comfortable, convenient, able to accommodate the appropriate amount and level of furniture and fittings in line with the number of people resident in the property.

iv) Internal Layout:

3.8 In the case of conversions and sub-division schemes, the internal layout of flats should provide satisfactory circulation spaces which provide convenient and easy access to individual rooms. The ‘habitable’ floor area is the useable floor area of a room used as a bedroom, living room or kitchen, and excludes the area of the bathroom, staircase, landing, passageway or access lobby. Where additional soundproofing is required, any reduction in space to facilitate this must be deducted from the calculation of habitable area.

3.9 All rooms should be accessed from a corridor and rooms should not be entered from one another. However, a long corridor running the length of the flat provides poor ratio between habitable rooms and circulation space and should be avoided. An exception may be acceptable in a 1 bedroom flat, where the bedroom or kitchen may be entered through a living room. In certain circumstances it may be acceptable to have en-suite bathrooms leading off bedrooms.

3.10 In terms of primary / main bathrooms, shower rooms and wc’s, these should be accessed from a corridor area, rather than from another room. All

bathroom / shower rooms should be of an adequate size to incorporate a bath, even if a shower only is initially installed.

- 3.11 Only one flat per floor will normally be acceptable in terraced and closely spaced semi-detached properties. Single aspect ground floor flats facing the street or parking area are normally not acceptable in order to protect residents from fumes, noise, overlooking and disturbance.
- 3.12 It would be desirable in a scheme sub-dividing a house to provide a larger unit on the ground floor with direct access to a private garden area which can meet the needs of family housing.

v) *Ceiling Heights:*

- 3.13 The minimum floor to ceiling height of habitable rooms should be 2.3m between finished floor level and finished ceiling level. Good floor to ceiling heights in subdivided dwellings facilitates a sense of wellbeing, particularly if matched with generous window sizes. In some instances good floor to ceiling heights can assist in improving ventilation, which contributes to the ability to adapt to future temperature increases due to climate change and reduces the need for mechanical air conditioning (with high energy demand and harmful emissions).

vi) *Self Containment:*

- 3.14 The new dwellings should be self-contained with their own living, cooking, sleeping space, as well as their own bathroom/toilet facilities. They should have their own convenient access to the street level without infringing private space belonging to another property.

vii) *General Storage Areas:*

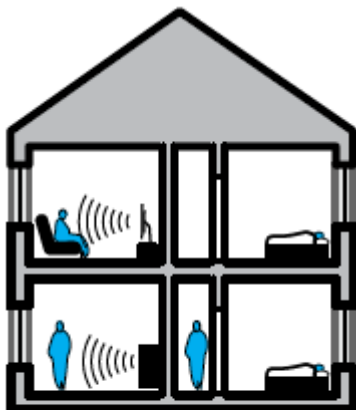
- 3.15 Provision should be made in subdivided properties for general storage, particularly for bulky items which aren't used regularly – for example, suitcases or sports gear. This would be within the minimum unit area.
- 3.16 General storage should be additional to kitchen units and bedroom furniture, but it is accepted that some items may be stored in these rooms. Additionally, areas for boilers and other operational fixtures within the subdivided dwelling should not be used for such storage of bulky items outlined above.
- 3.17 As a general rule, no individual storage room within a subdivided dwelling should exceed 3.5sqm, in order to ensure that rooms designated specifically for uses such as bedrooms are not expected to become general storage rooms, resulting in cramped living conditions for the occupiers of the dwelling.

viii) *Street Access:*

- 3.18 The residential units in a mixed use development should have their own access to the street to avoid potential conflict with the pedestrian traffic generated by the commercial premises on the ground and lower floors. The residential entrance and access should be safe, secure, accessible and convenient. The access should be well-paved, well-lit and wide enough to allow the use of pushchair. It should have natural surveillance in the street level entrance.
- 3.19 Rear passageways should only be used as the primary access to subdivided dwellings if they are sufficiently wide, well lit and already extensively used for this purpose. No rear entrances to subdivided dwellings should be more than 20m from the end of passageways to ensure safe access.
- 3.20 If the upper floors above shops are to be subdivided into flats, it is normally recommended to form the street access using an internal staircase at the front of the building. This requirement is only exempted when it is demonstrated that the front street entrance would prejudice the economic viability of the shop unit. Applicants can also consider forming the street access through the staircase of other residential units to the front of the building. External stairs at the back of the building via a back alleyway and service yard are not acceptable for the main access to new flats.

ix) *Stacking of Rooms and Sound Insulation:*

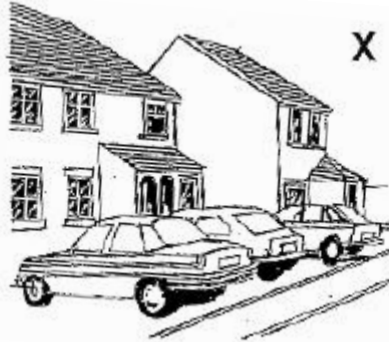
- 3.21 One of the most frequent complaints in flatted and mixed use residential developments is the noise and disturbance from the neighbours, whether it is from the person living next door or the restaurant below. This problem arises from poor internal layout and inadequate sound insulation.
- 3.22 The first and foremost emphasis therefore is to minimise the potential conflict of noise-generating and noise-sensitive rooms by paying attention in the design of internal layout and stacking rooms of similar purpose on top of and adjoining each other. This includes avoiding putting living rooms (with audio equipment) and kitchen (with washing machine) on top of, underneath or next to the bedrooms of the adjoining dwellings.



The arrangement of rooms to avoid the transfer of noise within and between dwellings

- 3.23 Sufficient sound insulation with reasonable resistance to airborne sound should be installed in all walls and floors between flats and between flats and public or communal areas. Floors between dwellings and between dwellings and public or communal areas should have reasonable resistance to impact sound.
- 3.24 In addition, sound insulation should be provided to any internal walls which separate proposed individual dwellings from others and to walls which separate dwellings from any parts of the building which will be in public or communal use, e.g. hallways, staircases, WCs etc. Again, the level of sound insulation to be provided should be at least to the standard specified in "The Building Regulations 2010 Amendments".
- 3.25 In higher density development or mixed use development, a better standard of noise insulation will be sought. Floating floor or independent ceiling construction is required to separate a residential dwelling from another residential dwelling or commercial development e.g. restaurant or office, within the same building. The minimum level of sound insulation is set out in the standard specified in "The Building Regulations 2010 ". Special consideration and sound proofing measures will be required for residential units above commercial or retail premises.
- x) *Alterations and Extensions:*
- 3.26 Any conversion involving external alterations and extension should respect the form, scale and materials of the original building and the visual character of the area in which it is located. New development should generally conform to the established line of building frontages, except where side extensions are visually subservient to the main building, in which case they should generally be set back behind the building frontage. Any proposed works to existing dwellings must also comply with the Building Regulations 2010. Further advice on alterations and extensions is available in the draft SPD on house extensions.
- xi) *Parking Spaces:*
- 3.27 Additional parking spaces may be required to cater for the needs arising from new housing in sub-divided houses. An assessment of the parking situation will be made, including referral to Council and national guidelines, together with the local and individual circumstances, for example on street parking. Any parking and access arrangement should be attractive, safe, convenient and appropriate to the scale of the development, and designed to minimise their visual impact and to ensure that residential amenity is not unduly affected. It will not be acceptable to transform the whole front garden into an extensive hardstanding with an extra wide dropped kerb and dominated by multiple parked vehicles. If the property is located within an

existing Residential Parking Zone (RPZ), again the situation will be reviewed and removal of the property from the RPZ is possible, if undue additional burden is considered likely to result.



Transforming the front garden for parking is not acceptable

3.28 Provision should be made for adequate, secure cycle parking. Where these are to be outside, they should be provided in a well lit, secure under cover location. In addition, it will be necessary to ensure that adequate means of access is provided to the cycle storage area, so an assessment of entrances, widths and manoeuvrability is important. Additional guidance on cycle parking will be available in a separate document, to include details of acceptable specifications. (See also para. 3.40).

xii) Waste Storage and Recycling Areas:

3.29 All households are provided with an alternate weekly collection of recycling and residual waste. This means that recycling and green waste (at suitable properties with gardens) is collected one week and refuse is collected in the following week.

3.30 Each subdivided unit should make external storage provision for the following waste / recycling containers:

- Residual waste - 1 x 180 litre capacity black wheelie bin for refuse (this can be combined into larger communal bins by using a simple calculation – for example, a block of 6 properties = $6 \times 180 = 1080$ litres – therefore 1 x 1100 litre bin could be used instead of 6 individual 180 litre bins);
- Green waste - 1 x 180 litre capacity green wheelie bin for suitable properties with gardens (this can be combined into larger communal bins by using a simple calculation – for example, a block of 6 properties = $6 \times 180 = 1080$ litres – therefore 1 x 1100 litre bin could be used instead of individual 180 litre bins);
- Kerbside recycling -
- 1 x 55 litre box for paper / cardboard;
- 1 x 55 litre box for glass bottles and jars;

- 1 x 55 litre box for plastic bottles / food and drink tins and cans.
 - As an alternative to the 3 box scheme, wheeled bins can be used to provide communal recycling facilities for a number of properties.
- 3.31 All waste and recycling containers should be stored in a suitable enclosure area within the curtilage of the property and be located in an accessible and adequately lit area where they do not present any safety risks to users (such as a tripping hazard). Such areas should be adequately ventilated to avoid smells from waste and recycling containers. Access to the waste / recycling storage areas should not be from outside the curtilage of the property (for example, along a back lane or path). (See also para. 3.39).
- 3.32 Waste / recycling collectors will not normally enter private land to make a collection – therefore all subdivided properties should ideally allow provision to put the bins / recycling boxes out at the front edge of the property for collection but without adversely affecting the amenity and safety of residents of the property, neighbours or the general public. Specific consideration should be given to allowing adequate space to allow pedestrians with prams or wheelchairs to pass safely.
- 3.33 Further guidance about waste / recycling containers, storage requirements and collection arrangements is provided in the ‘Information for Developers of Residential Proposals’ document produced by Waste Services.
- 3.34 In-sink mascerators should be avoided, as they place additional burden on drainage systems.
- xiii) Conversion of Attics or Basements:*
- 3.35 In order to convert an attic or a cellar into a habitable room, it will need to provide a minimum of 6.5 sq. m. of usable area and to achieve a minimum headroom of 2.3m for at least 80% of the floor area. Areas with less than the minimum headroom can be used as household storage space.
- 3.36 The attic or basement room should be adequately lit with daylight and ventilated with openable windows. If skylights are the only form of windows, they need to be installed in a position where the occupants can look out and observe the surrounding environs.
- 3.37 Basement rooms will require a light-well deep and wide enough to provide reasonable daylight and outlook from the window. It is recommended that basement rooms are incorporated with the ground floor accommodation to form a larger dwelling.
- 3.38 Within flood risk zones 3a, 3a(i) and 3b, the subdivision to create basement flats would be regarded as ‘highly vulnerable’ and would therefore not be permitted. Within flood risk zone 2, an exceptions test would be required. Basement dwellings in flood risk zone 1 are classed as acceptable uses.

xiv) Communal Areas:

3.39 Extensive loss of front garden for formation of parking, hard-standing and refuse storage areas could be an indicator of overdevelopment and is unacceptable as it would detract from the appearance of the street scene. Care should be given to provide sympathetic boundary treatment, planting and other forms of screening to preserve the visual amenity and privacy of the occupants and adjoining residents.

3.40 There should be adequate separation between private areas, semi-private areas and public spaces in order to encourage natural surveillance and to safeguard the security and amenity of the occupants. A decent planting or buffer area is required under the main windows of the ground floor dwellings to protect their privacy. Waste / recycling bins, cycle racks or parking spaces should be positioned away from the windows.

xv) Drying Facilities:

3.41 There may be opportunities for communal facilities for drying clothes in some schemes. These should be located in well ventilated areas. Where this is not done, consideration should be given to the provision of drying facilities in well ventilated areas of individual subdivided dwellings – for example, on screened balconies where provided.

xvi) Residential Amenity Areas:

3.42 Communal and private residential amenity areas are necessary for the enjoyment of future occupants. In house sub-division schemes, the existing rear gardens need to be retained to meet the needs of residents of the new housing. If it is practicable, part of the rear garden can be fenced off to become private garden of the ground floor unit. Consideration should be given for the provision of composting facilities in gardens / communal areas.

xvii) Communal Satellite Dishes:

3.43 To avoid subsequent demands for the installation of numerous individual satellite dishes on subdivided dwellings, developers should be encouraged to consider the potential for locating communal dishes as part of the overall design – for example, at roof level.

xviii) Daylight and Sunlight issues:

3.44 The amount of natural sunlight within a dwelling significantly affects the amenity of its occupants. Consequently, the internal layout of a subdivided dwelling should be considered, to provide maximum natural sunlight in main rooms, such as living rooms. Ideally, living rooms should face south, west or east, to make maximum use of solar gain – north facing living rooms should

be avoided. Particular care is needed where windows are located on lower floors, which may be overshadowed by adjoining buildings.

- 3.45 The orientation of subdivided dwellings in relation to maximising natural sunlight can also minimise energy consumption and reduce CO₂ emissions, by reducing the need for heating and artificial lighting.

xix) Sustainable Design and Construction:

- 3.46 All proposals for subdivided properties must submit a Sustainability Statement as part of the planning application process. The Sustainability Statement will need to demonstrate that the development will be a high standard of sustainable design and construction using techniques to ensure building design, including orientation and layout (for passive solar benefits), reducing energy consumption and construction material selection ensures sustainable use of resources.

- 3.47 An assessment of rainwater harvesting systems, grey water systems and sustainable urban drainage systems (SUDS) is encouraged in the sustainability statement. The Council encourages the following water efficiency measures to be met in subdivided dwellings: Dual flush Ecs (4/6) litre; shower nominal flow rates less than 9 litres/minute; controls on urinals or waterless urinals (where installed); flow restricted spray taps; water meters with pulsed output for each building/dwelling. The sustainability statement encourages also include an evaluation of rainwater harvesting systems, grey water systems and Sustainable Drainage Systems (SUDS). Water butts should be incorporated in all new residential developments with gardens or landscaped areas.

- 3.48 In addition, where subdivided proposals include 10 or more units, all of Policy CS21 (Sustainable Design and Construction) in the LDF Core Strategy should be considered.

xx) Considerate Constructors Scheme:

- 3.49 The Considerate Constructors Scheme, started in 1997, is a voluntary Code of Practice, which is adopted by participating construction companies and all personnel involved with the construction site. The scheme aims to improve the image of construction sites and any proposals for the subdivision of dwellings are encouraged to sign up to the scheme and commit to achieving the performance levels outlined in the scheme. For more information, visit www.considerateconstructorsscheme.org.uk

Annex A: Document / website list

The following documents and websites provided useful sources of supporting information to this SPD. Further information can be gained from these documents / websites.

a) Documents:

1. City of York Local Development Framework Core Strategy Submission (Publication), September 2011;
2. City of York Local Plan (4th Set of Changes, April 2005);
3. Planning Policy Statements (PPS)1: Delivering Sustainable Development;
4. Planning and Climate Change - Supplement to Planning Policy Statement 1
5. PPS3: Housing
6. PPS9: Biodiversity and Geological Conservation
7. PPS10: Planning for Waste Management
8. Planning Policy Guidance (PPG)13 Transport
9. PPS22: Renewable energy
10. PPS23: Planning and Pollution Control
11. PPS25: Development and Flood Risk
12. Consultation Draft Controlling the Concentration of Houses in Multiple Occupation SPD (CYC)
13. Consultation Draft House Extensions and Alterations SPD (CYC)

b) Websites:

1. www.lifetimehomes.org.uk (Lifetime Homes criteria);
2. www.homesandcommunities.co.uk (English Partnerships Minimum Space Standards);
3. www.communities.gov.uk (Code For Sustainable Homes);
4. www.buildingforlife.org (Building For Life);
5. www.securedbydesign.com (Secured By Design)