

Home Builders Federation

Matter 5

**CENTRAL LINCOLNSHIRE LOCAL PLAN EXAMINATION**

**Matter 5 – Energy, Climate Change and Flooding**

**Issue 1 – Design Principles for Efficient Buildings – Policies S6 and S20**

Q1. Is Policy S6 intended to apply to all development proposals in all locations and will applications have to demonstrate compliance with all the criteria? If so, when taking into account the predominantly rural nature of large parts of Central Lincolnshire, is the policy justified in seeking to prevent heating by oil or bottled gas in all circumstances?

For Council

Q2. Is it sufficiently clear to decision-makers, developers and local communities what is required of applications for planning permission under Policy S20?

No comment

Q3. How would the measures be considered as part of a planning application process, for example the use of internal stud walls rather than solid walls?

No comment

Q4. What is the justification for suggested modification MMSC5? Is it necessary for soundness?

No comment

**Issue 2 – Reducing Energy Consumption and Renewable Technologies for New**

**Development – Policies S7, S8, S9, S11, S13 and NS18**

***The supporting text to the Plan (paragraph 3.2.7) states that the Government is committed to improving the energy efficiency of new homes through the Building Regulations system as part of the 'Future Homes Standard' ('FHS'). However, the FHS is proposed to take effect from 2025, with an uplift in Building***



***Regulations in 2022 a step towards future standards. The Plan therefore states that it intends to go ‘further, and faster’ by introducing standards through development plan policies.***

Q1. Given that the Government’s intention is to improve standards through the FHS, on a nationally consistent basis as part of the Building Regulations, what evidence is there to support the use of such policies now in Central Lincolnshire? Are the policies justified?

CLC004 sets out the arguments at a global and national level as to why there is a need to reduce carbon emissions. The HBF recognises that climate change requires the introduction of the improved building standard being proposed by Government but there seemed to be no specific evidence as why Central Lincolnshire needs to go further faster with regard to the energy efficiency of new homes. As we set out in our representations new homes are already very energy efficient compared to existing properties prior to the changes made to building regulations which were introduced in June and see new homes produce 30% less CO<sub>2</sub> than under previous regulations. An analysis of Government data by the HBF<sup>1</sup> on the energy efficiency of new build and existing homes, highlights:

- New build properties significantly reduce households’ energy usage, with the average new home using approximately 100 kWh per m<sup>2</sup> per year compared with older properties which require an average of 259kWh per m<sup>2</sup>.
- 84% of new build homes were rated with an EPC of B or above, while less than 4% of existing dwellings reached the same standard.

The shift to even higher standards from 2025 will see further improvements in energy efficiency and reductions in carbon emissions. The Government’s proposals in relation to new homes will from 2025 ensure that all new homes are zero carbon ready and become zero carbon as the national grid decarbonises. These improvements mean that the contribution of new homes to carbon emissions compared to existing residential properties and other sources will be relatively limited and one that will continue to reduce in line with the need to achieve net zero by 2050.

Q2. As part of the proposed changes in Building Regulations (working towards FHS) standards are envisaged to improve incrementally. Does the Plan propose to take a similar approach in implementing (phasing) the higher standards? If not, why not?

The Plan does not take a phased approach but introduces significantly lower technical standards from the point at which it is adopted. As we outline in our representations the approach taken by Government in the phased introduction of energy efficiency improvements is to allow the construction industry, infrastructure providers, supply chains and the labour market that support construction, to prepare for its implementation. Going further and faster whilst seemingly a laudable ambition is likely

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<sup>1</sup> Watt a Save. The financial benefits and carbon efficiency of new homes, HBF (2022)

to delay the delivery of new homes as developers wait for local infrastructure, supply chains and skills to catch up with local plan policies.

Q3. Where energy reduction is concerned, is the Plan consistent with paragraph 154(b) of the Framework, which states that any local requirements for the sustainability of buildings should reflect the Government's policy for national technical standards?

No, the plan is not consistent with paragraph 154(b) as the proposed standards in S7 are not consistent with the Governments current building regulations nor with the proposed improvements set out in the Future Homes Standard. The HBF are aware of Planning and Energy Act 2008 and recognises that the Government state in PPG and the Written Ministerial Statements that local plans can set energy efficiency standards that go beyond current standards. As the Council note these also state that they should not set standards that would see a 20% improvement beyond the 2013 Building Regulations. We appreciate that the WMS is now somewhat dated but it must also be remembered that it is still referenced in PPG and has not been specifically withdrawn as policy. If it were redundant as the Council suggest on page 9 of EX004 then the Government could have easily removed the reference in PPG and withdrawn the WMS. The HBF wants to see improvements in energy efficiency, but this needs to be within a consistent national framework not through each area having its own approach to technical standards that places a burden not just on house builders but also on the local authorities themselves who are ill equipped to support developers and even monitor the policies they implement. Energy efficiency improvements delivered through national standards enables the effective delivery and monitoring of building standards for energy efficiency in a way the proposed approach by the Council cannot.

Q4. What evidence can the Committee point to which suggests that the measures set out are deliverable and the policies effective?

The HBF do not consider the Council to have fully considered the viability of this policy and, in combination with others in the local plan, and as such remain concerned that it could impact on the deliverability of the local plan. The Councils recognise on page 12 of EX004 which outlines that viability will be challenging on sites outside of the high value areas. The Council go on to state that the sensitivity testing shows that if significantly lower build costs are delivered alongside reduced land values, then there is adequate surplus to deliver zero carbon homes. As we set out in our matter 2 statements there is no evidence to suggest that the much lower build costs proposed are actually achievable for the majority of residential development especially taking into account the higher build costs that are inevitable from the higher design and technical standard being required. Without evidence that all proposed development in these areas can in future, and taking account all other policy costs, be built at the lower costs suggested the policy cannot be considered to be viable or deliverable and should be deleted.

The HBF are also concerned as to how the Councils will assess the measures being put in place to meet the requirements of this policy and ensure that they are delivered. Given that these extend beyond building regulations the Council will need to ensure it

is sufficient resources and skills to provide advice to developers and decision makers as to what is required. Without these there is potential for delays in applications coming forward as well as poor decision making. As such we would suggest the requirement achieve higher standards than that set out in Building Regulations are deleted.

Q5. Have the full range of measures been tested, alongside other planning policy costs, to determine how they will impact upon the viability of development? Are the conclusions accurate and robust?

See above.

Q6. In the Committee's response to the Inspectors' Initial Questions reference is made to the Planning and Energy Act 2008 in support of the Plan. It states that local planning authorities may in their development plan documents, "...include policies imposing reasonable requirements for a) a proportion of energy used in development in their area to be energy from renewable sources in the locality of the development; [and] a proportion of energy used in development in their area to be low carbon energy..." (our emphasis). Is the submitted Plan consistent with this approach?

The Council are requiring all residential development to generate the equivalent amount of energy through renewable sources as it would use over the course of the year. This is not a reasonable requirement to for development to obtain a proportion of their use from renewable services. The HBF recognises that some of the energy supplied to homes should be from renewable sources but to require all of the energy supplied to a new home is unreasonable and takes no account of the fact that over time energy supply from the national grid will be decarbonised.

Q7. Policy S7 states that there are three exceptions which may allow certain developments to come forward without meeting the energy requirements. Is it sufficiently clear to decision-makers, developers and local communities what 'technical' and other 'policy reasons' could entail? Is the policy effective?

The approach being taken forward by the Council adds unnecessary complexity given that improvements are being introduced through Building Regulations that will ensure that new homes are zero carbon ready from 2025.

Q8. Policy S7 clause 1 states that a lack of financial viability will not be a technical or policy reason for failing to meet the required standards. However, clause 3 then specifically refers to viability issues in Sleaford and Gainsborough. If there is an acceptance that costs could preclude the full range of energy saving measures, why is this consideration prohibited elsewhere?

There is no justification for restricting the locations where viability should be taken into account. There may be circumstances on any site in any location where the delivery of this policy is unviable. Without viability considerations being extend across Central Lincolnshire the policy lacks the necessary flexibility to be deliverable.

Q9. What is the justification for requiring a financial contribution from exempt schemes, at a value sufficient to enable the LPA to offset the development from renewable energy schemes elsewhere? How would these off-site schemes be identified and costed? Would it be sufficiently clear to developers (for example, converting a listed building) what the requirements would be?

As set out above the HBF do not consider this policy to be justified. Whilst we recognise the Council can require a proportion of energy on a development to be delivered from renewable sources this must be reasonable and proportionate. If the policy is considered to be sound, we would object to exempt schemes being required to produce a financial contribution which we do not consider to be consistent with paragraph 57 of the NPPF. This requires such contributions to be required to make a development acceptable in planning terms, directly related to the development and fairly and reasonable related in scale and kind. We do not consider the policy to be required to make the development acceptable in planning terms. The NPPF states that development should comply with local policies regarding decentralised energy supply unless these are unviable or unfeasible. The NPPF does not mention the need for further offsetting in relation to this policy where it is not feasible or viable and as such the financial contribution is not necessary to make the development acceptable in planning terms.

Q10. Further to Question 8 above, how have the £5,000 and £15,000 values been calculated in Policy S7? What are they based on, and have they been subject to viability testing?

For Council.

Q11. How have the values of £5,000 and £100,000 been calculated in Policy S8? What are they based on and have they been subject to viability testing?

No comment

Q12. Policies S7 and S8 state that “Weight will be given to proposals which demonstrate a deliverable commitment to on-going monitoring of energy consumption, post occupation...”. Is this sufficiently clear enough to be effective? What is expected of developers?

This is not clear. It would appear to suggest some form of smart metering is being encouraged by the Council but it lacks any degree of clarity for either the decision maker or applicant.

Q13. Is Policy S9 consistent with national planning policy in paragraph 155 of the Framework? It states that Plans should (amongst other things) identify opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy systems and for co-locating potential heat customers and suppliers. Decentralised energy is defined by the Framework as local renewable and local low carbon energy sources.

No comment

Q14. Is Policy S11 justified and consistent with national planning policy in its 'presumption against demolition'?

No. The Council do not appear to have included in the viability assessment any additional cost related to this and whether it is justified. We would suggest that a more appropriate policy would be one that requires applicants to consider whether existing building and materials could be redeveloped and reused but should not seek a presumption against demolition.

Q15. Is it justified (or viable and feasible) to require extensions to existing buildings to improve the energy efficiency of the remainder of the property, as set out in Policy S13?

No comment

Mark Behrendt MRTPI  
Planning Manager – Local Plans SE and E