

Home Builders Federation

Matter 8

SOUTH OXFORDSHIRE LOCAL PLAN EXAMINATION

8. Does the plan take a proactive approach to mitigating and adapting to climate change in respect of the following.

a. The location of development?

1. No comment

b. The encouragement of sustainable transport choices?

2. No comment

c. Sustainable design and construction? Note the Council's proposed new policy DES11. Should that be taken forward as a main modification?

3. No. We consider policy DES11 to be unsound with regard to the 40% improvement in carbon emissions than those achieved through the application of part L of the 2013 Building Regulations. This is inconsistent with national policy which in this instance continues to be set through the 2015 Written Ministerial Statement which allows for Councils to provide improvements in carbon emissions equivalent to level 4 of the Code for Sustainable Homes. The relevant passage states:

“For the specific issue of energy performance, local planning authorities will continue to be able to set and apply policies in their Local Plans which require compliance with energy performance standards that exceed the energy requirements of Building Regulations until commencement of amendments to the Planning and Energy Act 2008 in the Deregulation Bill. This is expected to happen alongside the introduction of zero carbon homes policy in late 2016. The Government has stated that, from then, the energy performance requirements in Building Regulations will be set at a level equivalent to the (outgoing) Code for Sustainable Homes Level 4. Until the amendment is commenced, we would expect local planning authorities to take this statement of the Government's intention into account in applying



existing policies and not set conditions with requirements above a Code level 4 equivalent.”

4. Code level 4 equivalency is roughly a 19% improvement over the 2013 building regulations. As such this policy is clearly inconsistent with national policy and should be modified accordingly. The Government are now moving forward with improvements in Building Regulations that will ensure consistency across all areas. We are concerned that policies such as these which go beyond the interim measures set out in the WMS will cause significant difficulties in the application of new national standards. Until these improvements have been finalised it is essential that Council's do not seek to require standards above what the Government have allowed through optional technical standards and the interim measures set out in the Written Ministerial Statement.

Mark Behrendt MRTPI
Planning Manager – Local Plans SE and