

## Home Builders Federation

### Matter 10

## STROUD LOCAL PLAN EXAMINATION

### Matter 10 Environment

***Issue 10 – Does the Plan set out a positively prepared strategy for the natural, built and historic environment that is justified, effective and consistent with national policy? Does the Plan adequately address other environmental matters and are the policies sound?***

#### **Matter 10a Sustainable future**

##### ***Core Policy DCP1 Delivering Carbon Neutral by 2030***

***1. Core Policy DCP1 sets a target of achieving net zero by 2030, ahead of the national target which is to achieve the same by 2050.***

***a. Is this target achievable? Is it justified and viable?***

The target of Stroud become Carbon Neutral by 2030 would appear to be a wider aspiration of the Council rather than one specific related to the local plan. It must also be remembered that the vast majority of carbon arises from existing homes and businesses and will take actions outside of the scope of the planning system to deliver. As such we would question why it is necessary to be in the policy rather than just the supporting text.

Having said that we recognise that new development will need to play its role in reducing there carbon emissions and which is why the HBF, and our members have been working with the Government to support the delivery of the Future Homes Standard which will ensure that from 2025 all new homes are zero carbon ready. This means that such homes are more energy efficient, will produce 75% fewer carbon emissions than a home built using the 2013 building regulations and will support the decarbonisation of the national grid. In other words, the new homes built to current and future building regulations over the plan period will support the Council in achieving its aims.



b. How will 'net zero carbon' be defined and measured and is this clearly set out in the Plan? How will progress towards meeting this target be monitored? On what basis will the target be measured as having been achieved?

As set out above the aspiration for Stroud to be carbon neutral would appear to be a wider Council ambition that goes beyond the scope of the local plan to deliver.

c. Are all the policy requirements set out in Core Policy DCP1 justified for a strategic policy and are they achievable? How will a decision-maker determine whether the requirements have been met, for instance how will they know that green infrastructure has been maximised?

No comment

d. Does the policy strike the right balance between encouraging sustainable modes of transport whilst recognising that in rural areas some local residents and businesses may be more reliant on the private car? Is the policy approach consistent with paragraph 105 of the Framework?

No comment

e. The policy states that all new development must be designed to discourage the use of the private car, irrespective of fuel source. Does this acknowledge opportunities to encourage EV usage through the provision of, for example, a network of electric charging points across the District, including the rural area?

No comment

f. Does the policy provide sufficient support for the use of land for the production of food?

No comment

g. Would the policy requirements for new development result in developers having to build to a higher level of standards than that required by the Building Regulations (whether current or those planned to be implemented)? Are these requirements justified and consistent with national policy? What, if any, would be the implications of this for delivery of development across the District (specifically viability)?

Whilst DCP1 does not mention the need for development to be built at higher standards it does state that development should be built to the to achieve the highest viable energy efficiency standard. Delivery Policy ES1 then requires all development to achieve a net zero carbon standard through a combination of energy reduction above building regulations and the offsetting of residual emissions through the Council's carbon offset fund. The reference to highest viable energy efficiency standard is problematic and will inevitably lead to negotiation on what standard could be achieved. Given the Government is seeking to reduce site by site negotiation the approach is

inconsistent with that position. The approach is also inconsistent with the phased approach to energy efficiency improvements set out by Government in the recent changes to Building Regulations and the Future Homes Standard to be adopted from 2025. As highlighted earlier these standards will mean that from 2025 new homes will be zero carbon ready with the transition period allowing the development industry and its suppliers to ensure that this can be achieved. The Government's approach provides a consistent framework that balances the delivery of new homes whilst ensuring that there are energy efficient.

*h. Is the policy as a whole consistent with national policy?*

### ***Sustainable Construction and Design - Delivery Policy ES1***

*4. Policy ES1 requires development proposals to meet a number of requirements, including the achievement of a net-zero carbon standard.*

*a. Is this policy consistent with national policy and relevant Building Regulations and is it justified and necessary? In the event that Building Regulations are altered or updated, how would the policy deal with this?*

The HBF recognises that the Written Ministerial Statement published in 2015 and reiterated in Planning Practice Guidance in 2019 allowed Council's to set targets for energy efficiency of new homes that were higher than building regulations. The statement and guidance outlined that a 20% improvement on Part L of the 2013 Building Regulations could be required, equivalent to level four of the long deleted Code for Sustainable Homes. As such a policy requiring a 35% improvement over part L is inconsistent with that approach. However, since the submission of this plan Part L of the Building Regulations have been updated and came into force in June of 2022.

These latest regulations will mean that all new residential development will be built to a standard that achieves a circa 30% improvement on the 2013 Building Regulations. Whilst the requirements are similar there is an inconsistency with the Council's policy and that required by Building Regulations. In addition, ES1 refers to regulations that have now been superseded. Therefore, the policy is not only inconsistent with national policy but will also create confusion and lead to difficulties not only in decision making but also in the monitoring and enforcement mechanisms put in place by the Council.

Further difficulties will also arise from 2025 with the introduction of the Future Homes Standard. As set out above this will ensure development is zero carbon ready from 2025 and see a level of carbon reduction of around 75% compared to the part L of the 2013 Building Regulations. This policy will then be even further adrift from Building Regulations. We would therefore suggest that the policy is amended to remove part 1 given that it is now clear the Government's intention is to deliver improvements in the energy efficiency of new homes through Building Regulations and as such it is unnecessary policy for the Council to do so in the local plan.

In addition, the HBF does not consider the requirements for residual emission to be offset to be sound. National policy makes no mention of such measures and given the decarbonisation of the national grid there is a risk that development will be required to offset emissions that will not occur in future. It is also unclear as to how this scheme will operate, whether alternative offsetting will be permitted or indeed whether the Council's fund will deliver on its ambitions. Given the lack of support in national policy for carbon offsetting and the limited detail as to how the scheme will operate effectively we would suggest this aspect of the policy is also deleted.

*b. Are the requirements set out in the policy achievable and viable?*

As set out in our representations and comment on affordable housing we are concerned that the costs being placed on development through this local plan in addition to those through new technical standards such as those in part L of the Building Regulations could make some development unviable. This concern is increased given that the viability study may underestimate the cost of achieving this standard. The HBF estimates that these could add between £5,335 to £5,580 to the cost of a new build home and must be added to the base build costs<sup>1</sup>. Further cost likely to be felt by housebuilders and developers as a result of the changes in building regulations is the introduction of the heat metering regulation, as set out in a separate consultation by the Department for Business, Energy, and Industrial Strategy. These new regulations, which go in line with the new Part L regulations, could add an additional £400 - £800 per plot, meaning the total cost per new home for the package of changes to underpin the reformed Part L introduced this year amount to between £5,700 and £6,400 per new home. In addition, no allowance appears to have been made in the viability evidence with regard to the cost of carbon offsetting. These will all lead to costs that are higher than the £4,800 included in the Council's Viability Assessment. In addition, the costs of meeting the Future Homes Standard from 2025 will be higher still and again do not appear to have been factored into the viability assessment.

*c. Should the policy incorporate transitional arrangements? If so, why and what should these be?*

The Government are implementing a transitional approach to such matters through building regulations and as such it is unnecessary for the Council to either set such standards even through transitional arrangements.

*d. What is the Stroud District Council carbon offset fund and how will it be managed and administered?*

For Council.

*e. Is the policy sufficiently flexible to allow for situations where the achievement of the requirements may not be possible due to the individual circumstances of a site?*

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<sup>1</sup> Building Homes in a changing business environment, HBF (2022)

Reference to feasibility and viability should be included in the policy to indicate that there will be circumstances where it is not possible to deliver all the requirements of this policy.

*f. Is the reference to the Home Quality Mark justified?*

No. Whilst HQM provides one assessment there should be no need requirement for such an assessment to indicate policy compliance with regard to the risk of overheating and waste generation both of which can be addressed adequately through planning statements.

***Heat supply – Delivery Policy DES3***

*8. Is this policy supported by the evidence base and is it viable and deliverable?*

The viability study has considered the potential costs but states at paragraph 8.88 that this has not been included in the base appraisals. What is recognised is that there is likely to be considerable variation on the cost of delivering communal heat supply depending on the site, the amount of development and the type of development proposed. ON some sites it may be viable however on other it may not. The policy is therefore at present unjustified. We would suggest that if the policy is to be retained it should require larger development to examine the feasibility of delivering communal heating taking into account not only viability but also customer choice and the cost to the end consumer.

*9. Does the policy take sufficient account of opportunities to provide communal heating systems when considering issues relating to feasibility (as a separate consideration to viability)?*

No. As set out in our representations there are wide range of issues to consider when implementing such schemes. For example, consumer satisfaction with residents being forced to accept the higher costs relating such schemes and being unable to opt out where costs become unacceptably high, a situation that has been brought to the fore by the higher prices being paid by those in such communal schemes at present.

*10. Should the policy be applicable to all site sizes? Are there particular issues relating to small and medium sites that should be taken account of?*

The policy, if it is retained, should take account of the fact that communal heating is far less practical to deliver and manage on smaller sites that will not benefit from the economies of scale compared to their use on larger sites.

*11. Is the wording of the policy suitably flexible to take account of individual site circumstances?*

The policy should not just refer to viability but also to its feasibility owing to site specific circumstances.

***Matter 10d Design***

**ES16 – Public Art Contributions**

58. In relation to this policy:

a. Is it consistent with national policy and justified by evidence?

b. How will it be decided whether a contribution will be proportionate and on what basis?

c. Has the viability of this policy been fully assessed?

Whilst public art should be encourage the HBF do not consider it to be necessary to make development acceptable in planning terms and no evidence has been provided by the Council to indicate otherwise. Delivery of these items may well form part of the development, but it should be for the developer to decide whether or not they are provided.

Mark Behrendt MRTPI

Planning Manager – Local Plans SE and E