

Home Builders Federation

Matter 3

SPELTHORNE LOCAL PLAN EXAMINATION

PLACE SHAPING POLICIES

Main Matter 3 – Responding to the Climate Emergency (Policy PS1)

Are the requirements of the Responding to the Climate Emergency policy justified by appropriate available evidence, having regard to national guidance, and local context?

Does Policy PS1 provide clear direction as to how a decision maker should react to a development proposal?

The HBF recognises the need for new homes to be more energy efficient with many of our members building homes that go beyond minimum standards we consider the most effective way of delivering such improvements, whilst maintaining housing delivery, is through the consistent application of national building regulations. This is a position shared by Government which states in paragraph 154 of the NPPF that any requirements for the sustainability of buildings should reflect the Government's policy for national technical standards. As such we have three concerns regarding policy PS1

Firstly part 2(a) of PS1 requires applicants to show that they have maximised energy efficiency and integrated the use of renewable and zero carbon sources of energy, both of which are to be demonstrated through an energy statement. Whilst we have no issue for the Council encouraging development to maximise energy efficiency there is the risk that policies asking applicants to show how they have maximised energy efficiency will inevitably lead to decision makers seeking evidence as to whether the level of energy efficiency being proposed is sufficient. The NPPF requires policies to provide clarity as to how a decision maker should react, this policy does not achieve this and leaves both the applicant and decision maker uncertain as to what should be delivered. To address this concern, we would recommend that part 2(a) is deleted.



Secondly, part 3b suggests that development provide electric vehicle charging points (EVCPs) in accordance with the latest guidance issued by Surrey County Council. Our first concern is that the Council cannot require development to accord with requirements set outside of the local plan. The Council can ask applicants to have regard to such guidance but not to comply with it as this in effect establishes a policy outside of the local plan which can be amended without the necessary consultation and scrutiny afforded through the plan making process. Our second concern is that the standard relating to EVCPs is now set out in part S of the Building Regulations. As such there is no need to reference alternative guidance set out by Surrey and which predates the requirements established through building regulations and this should be deleted.

Finally, part 5 is unnecessary as the latest version of Part L of the building regulations introduced in 2021 has introduced standards that reflect those set out in the local plan. The local plan is merely repeating what is already required by building regulations but in a way that is likely to create confusion as to which standard should be applied. It is also likely that the policy will be outdated within a year of adoption given the Government's commitment to introduce the Future Homes Standard from 2025 which would see new homes achieving a 75% improvement on the 2013 Building Regulations. The HBF would therefore suggest that part 5 is deleted.

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