

Issue 9 – Environment – Policies CP11 – CP14

Personal ID No: 3440

Terence O'Rourke Ltd on behalf of North Whiteley Consortium

ISSUE 9 ENVIRONMENT – POLICIES CP11 – CP14

- i) **Are the policies consistent with the NPPF and/or justified by clear and robust local evidence and if not, what needs to be changed and why?**
- 1.1 The NPPF sets out a requirement for local authorities:
When setting any local requirement for a building's sustainability, do so in a way consistent with the Government's zero carbon buildings policy and adopt nationally described standards.
- 1.2 CP11 is currently not consistent with the Government's future thinking of their zero carbon buildings policy as set out in the Building Regulations Part L consultation (January 2012).
- 1.3 The Government's consultation on the Building Regulations Part L (January 2012), section 197 states "*there is no Government policy promoting any specific Code levels, let alone Code Level 6 (aside from Homes and Communities Agency funded schemes to be built at Code Level 3).*"
- 1.4 It is also noted in the Building Regulation consultation: "*In setting additional carbon policy aspirations relating to new housing, authorities need to take care to avoid confusing the Code and zero carbon policy.*"
- 1.5 CP11 is based both on setting a high Code standard which is not a Government policy and sets the initial target (code level 5) that is significantly higher than future thinking of a zero carbon building standard. This appears to be contrary to the NPPF objectives.
- 1.6 As noted in the Consortium's previous representations to the pre submission Core Strategy there are a number of concerns over the evidence base both in terms of being out of date with the national evidence base and from a technical viability point of view.
- 1.7 We note also the Sir John Harman report of June 2012 "A review of Local Standards for the Delivery of New Homes". This report reviewed the appropriateness of setting local standards and concludes with respect to energy (p.17, point 5) that it is in fact unnecessary to set any local standards beyond Building Regulations, given national government proposals with respect to the achievement of zero carbon homes.
- 1.8 A "Code for Sustainable Homes" type policy that sets requirements higher than national targets and standards is therefore not considered to be aligned to NPPF requirement and should be reviewed to be in accord with Government thinking.

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ii) **Are the targets for renewable energy in policy CP11 appropriate, reasonable and realistic, in the light of national policy?**

- 1.9 WCC draft Core Strategy evidence shows the additional cost of meeting policy CP11 is in the order of 16% higher than current build costs per unit.
- 1.10 The CLG note in their *Cost of Building to the Code for Sustainable Homes (2011)* that the energy requirements for Code Level 5 would be in the region of £15,000/unit over current Building Regulation standards.
- 1.11 The recent PUSH South Hampshire Strategy, October 2012 policy 19 Building Construction set a requirement of Code Level 6 from 2020 (subject to viability testing). As noted in our previous representations such an unreasonable target adds even higher costs per unit (referenced in the region of £40,000/unit by the CLG).
- 1.12 It is noted that the recent Written Ministerial Statement on Housing and Growth (CLG, 6 September 2012), adds that local authorities need to reduce the cumulative burden of red tape, especially when considering the impact on viability from policy requirements.
- 1.13 Setting a carbon tax adds additional cost to building new homes on top of building to the increasingly high national standards. The concept of *allowable solutions* is currently only a “concept” as referenced in the recent Building Regulation consultation (January 2012) therefore such a carbon tax currently has no position within the current national regulatory process.

iii) **Does policy CP12 strike the right balance between protecting the district's environment, landscape, biodiversity and nature conservation resources and facilitating other strategic development, such as the provision of renewable and decentralized energy?**

- iv) **Is Policy CP13 reasonable, realistic and appropriate for a JCS? and**
v) **Is Policy CP14 reasonable, realistic and appropriate for a JCS?**

No comment