

Briefing Paper: Environment Policy Development Group

Date of Meeting: 23 January 2024

Subject: Green Standards in Planning

Contributions by Officers: Jason Ball, Climate and Sustainability Specialist.
Arron Beecham, Principal Housing Enabling and Forward Planning Officer.

What are we doing as a Local Planning Authority?

[Plan Mid Devon](#), the district's Local Plan review, is in progress. Its timeline is set out in our [Local Development Scheme](#). Topics in the preliminary consultation included:

- [2.0 Sustainable Development and Six Top Priorities \(middevon.gov.uk\)](#)
- [8.0 Infrastructure and How We Travel \(middevon.gov.uk\)](#)
- [9.0 Our Natural and Historic Built Environment \(middevon.gov.uk\)](#)
- [16.0 A Sustainable Distribution of Development Across Mid Devon](#)

Tackling climate change is a material consideration in the planning process. The Council's interim Climate Emergency Planning Policy Statement adopted in March 2023 was published with a planning applications checklist, free guidance on achieving net zero carbon homes, and an interactive tool for comparing costs and benefits of different 'low carbon' standards for new homes. The statement acts as a stepping stone towards the next Local Plan.

- [Non-Statutory Interim Planning Policy Statement: Climate Emergency](#)
- [Climate Emergency – Planning Applications Checklist](#)
- [Net Zero Carbon Toolkit](#)
- [Net Zero Housing Assessment Tool](#)
- [Net Zero Housing Assessment Tool Example](#)

Energy efficiency standards

The Minister of State for Housing issued a [Written Ministerial Statement \(WMS\) on 13 December 2023](#) which provided an update on local energy efficiency standards (superseding the section of the 25 March 2015 WMS in respect of energy efficiency requirements and standards).

The WMS states that the 'introduction of the 2021 Part L uplift to Building Regulations set national minimum energy efficiency standards that are higher than those referenced in the 2015 WMS rendering it effectively moot. A further change to energy efficiency building regulations is planned for 2025 meaning that homes built

to that standard will be net zero ready and should need no significant work to ensure that they have zero carbon emissions as the grid continues to decarbonise.'

In favour of establishing consistent, nationally applied standards, the WMS explicitly **advises local authorities against introducing additional local energy efficiency standards** that go beyond current or planned building regulations. It stipulates that these should be 'rejected at examination if they do not have a well-reasoned and robustly costed rationale'. To ensure requirements are capable of being found sound at examination, local plans will need to ensure that development remains viable, and that the additional requirement is expressed as a percentage uplift of a dwelling's Target Emissions Rate (TER) calculated using a specified version of the Standard Assessment Procedure (SAP).

The Council has been progressing evidence in respect of establishing additional energy efficiency requirements, although at the current stage of plan-making, this has not yet translated into draft policy requirements. Officers suggest that current efforts should continue and Plan Mid Devon seeks to establish the highest standards of energy efficiency possible, providing that development remains viable. This will be robustly evidenced through a plan-wide viability assessment.

Whilst it is recognised that any approach taken forward within Plan Mid Devon may ultimately be superseded (either in part or in whole) by changing national policy, continuing efforts to establish ambitious local standards will provide appropriate safeguards in the event that national planning policy changes or implementation is delayed. It also enables the Council to address [industry concerns](#) that the Future Homes and Building Standards are insufficient to reach net zero.

Embodied Carbon - Reducing the Climate Impact of Construction

UK building regulations do not cover the climate impacts of construction materials or methods. The UK Green Building Council (UKGBC) notes:

"Embodied carbon from construction currently accounts for around 6% of the UK's annual emissions but it can represent over half of the whole life carbon impacts for an energy efficient new building."

Government has pledged to support the use of modern methods of construction (MMC) to deliver quality homes more quickly and more sustainably through [Home England's 2023-2028 strategic plan](#). The HE plan does not set a delivery target but says "MMC can drive greater efficiency and productivity, reduce carbon emissions, decrease disruption caused by construction, and increase consumer choice".

Defra has pledged to work with industry and academia to identify England's opportunities and barriers for timber and to promote best practice - by 2025 for construction, and by 2027 for retrofit. Defra's new '[roadmap](#)' report says: "We have therefore also committed in the [Net Zero Strategy](#), the [England Trees Action Plan](#) and the 2023 [Environmental Improvement Plan](#) to increase the safe use

of timber in construction (TiC) in England, to help reduce embodied carbon in the built environment and drive investment into tree planting, forest management and domestic supply chains, creating new green jobs and industries.”

The Plan Mid Devon Issues consultation included a consultation question in respect of embodied carbon. It sought to gather evidence on the principle of introducing policy in this area; this could help to inform future policy. The Plan Mid Devon Issues consultation received support for introducing a policy that addresses the Whole Lifecycle (WLC) carbon impacts of a development; any approach needs to be based on evidence that is clear, realistic and reasonable.

What are other authorities doing?

Bath & North East Somerset (BaNES)

[Sustainable construction checklist | Bath and North East Somerset Council](#)

A paper by the South West Net Zero Hub suggests BaNES planning policy can effectively improve energy efficiency. [B&NES net zero carbon planning policy likely to drive more efficient buildings and cut energy bills - \(swnetzerohub.org.uk\)](#)

Cornwall County Council

- [Cornwall Council - Local Plan 2010-2030](#)
- Cornwall Design Guide: [CDG-Main-Contents.pdf](#)
- [Cornwall Council - A Green Infrastructure Strategy for Cornwall](#)

Epping Forest DC

[EFDC Sustainability guidance & checklist major development](#)

EFDC asks for a whole-lifetime carbon assessment.

Exeter City Council

Exeter City Council proposes putting the Future Homes Standard (FHS) and Future Buildings Standard (FBS) into the emerging Local Plan as **Policy CC5**. The Exeter Plan is currently out to consultation.

[The New Local Plan – the Exeter Plan - consultation \(autumn 2023\)](#)

[Have Your Say Today - Exeterplanfull - Commonplace](#)

[Evidence base for emerging Exeter Plan - Climate Change - Exeter City Council](#)

They refer to the GESP (Greater Exeter Strategic Plan) low carbon study. [2020 Low Carbon and Climate Change Evidence Base](#)

South Oxfordshire DC

- [Local Plan 2035 - South Oxfordshire District Council](#)
- [Sustainable Construction Checklist - South Oxfordshire District Council](#)

Teignbridge DC (latest published).

[Appendix 4 PathwaysReport-NorthMidTeingbridge V1.1 \(swnetzerohub.org.uk\)](#)

[Further self build information - Teignbridge District Council](#)

Evidence for local plan review includes:

- [Proposed Submission Local Plan 2020-2040 - Sustainability Appraisal \(SA\) and Habitats Regulations Assessment \(HRA\)](#)
- [Policy CC2: Energy and Carbon Statements Topic Paper \(teignbridge.gov.uk\)](#)
- Wind energy 'sensitivity' assessment - [An Assessment of the Landscape Sensitivity to Onshore Wind Energy Developments in Teignbridge District](#)

Vale of White Horse DC

- whitehorsedc.gov.uk/wp-content/uploads/sites/3/2022/03/VOWH-Sustainable-Construction-Checklist-march-2022.pdf

CIBSE assessment with regard to climate change adaptation.

Resources online

The following resources might prove useful.

- Water efficiency and rainwater harvesting
- Sewage infrastructure and nutrient pollution
- Natural capital, nature conservation and biodiversity gains

Please refer to the [National Planning Policy Framework](#) (NPPF), [national building regulations](#) and the latest guidance on the [Environment Act 2021](#), [Biodiversity Net Gain](#) and [Biodiversity Duty](#), etc.

Advisory bodies and partnerships

The Good Homes Alliance - <https://goodhomes.org.uk/net-zero-planning-policy>

Publications and policy research papers

Building to net zero: costing carbon in construction. [Sustainability of the built environment \(parliament.uk\)](#)

The Green Infrastructure Framework is a commitment in the Government's 25 Year Environment Plan. Networks of *green* and *blue* spaces and other natural features can bring big benefits for nature and climate, health and prosperity.

[Green Infrastructure \(naturalengland.org.uk\)](http://naturalengland.org.uk)

The UK Green Building Council (UKGBC) provides a range of resources on solutions for high environmental and ecological standards in construction and retrofit.

Net Zero Carbon Buildings [Resource List](#)

- [Interactive Policy Map | UKGBC](#)
- [New Homes Policy Playbook | UKGBC](#)
- [Driving retrofit at scale: funding opportunities for local government | UKGBC](#)

A free embodied carbon tool (construction) [One Click LCA Planetary](#).

Section 3 – Statutory Officer sign-off / mandatory checks

Statutory Officer: Andrew Jarrett
Agreed by or on behalf of the Section 151.
Date: 12 Jan 2024

Statutory Officer: Philip Langdon
Agreed on behalf of the Monitoring Officer.
Date: 15 Jan 2024

Chief Officer: Richard Marsh
Agreed by or on behalf of the Chief Executive/Corporate Director.
Date: 12 Jan 2024

Performance and risk: Steve Carr
Agreed on behalf of the Corporate Performance & Improvement Manager.
Date: 12 Jan 2024

Cabinet member notified: Yes.

Report: Exclusion of the press and public from this item of business on the published agenda on the grounds that it involves the likely disclosure of exempt information. No.

Appendix: Exclusion of the press and public from this item of business on the published agenda on the grounds that it involves the likely disclosure of exempt information. No.

Section 4 - Contact Details and Background Papers

Contact: Jason Ball, Climate and Sustainability Specialist: Email: JBall@MidDevon.gov.uk Tel: 01884 255255.

Background papers: none.