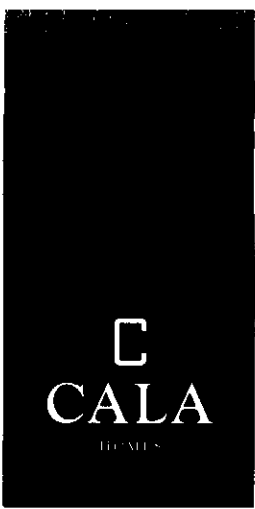


21st December 2012



Rosemary Morton
Programme Officer
Winchester District Local Plan Part 1
19a Wellington Road
Maidenhead
SL6 6DH

Dear Ms Morton

**Winchester District Local Plan Part 1
Representations by CALA Homes to Further Modifications 12 November 2012**

We wish to comment as follows:

Modification 2.8 Policy WT2 – welcomed and supported. However, this does not address our other objection to this policy which we maintain.

Modification 2.24 Policy CP2 – welcomed and supported.

Modification 2.33 Policy CP11 – although an improvement to the policy as originally drafted, this modification does not address our concerns and is therefore not supported. I attach a copy of correspondence from the Zero Carbon Hub to the Council which endorses this objection. Contrary to the verbal evidence of Mr Opacic at the hearing, this modification does not overcome either our or the Hub's doubts about the policy's clear conflict with the NPPF.

I would be grateful if these points could be brought to the Inspector's attention.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Michael Emmett'.

Michael Emmett

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Winchester City Council
City Offices
Colebrook Street
Winchester
SO23 9LJ

9 November 2012

Dear Sir, Madam

Winchester Core Strategy Climate Change Policy CP13 Sustainable Low and Zero Carbon Built Development, Examination in Public

We are writing to set out our position on Local Authority policies on carbon reductions in new development, in relation to the proposed Winchester Core Strategy Policy, CP11 Sustainable Low and Zero Carbon Built Development, and particularly the requirement that Code Level 5 standards for energy will be required.

The Zero Carbon Hub was established as a partnership between Government, the private & public sector and NGOs to provide advice to Government and industry on the delivery of low and zero carbon homes and the policy aim of achieving zero carbon new homes from 2016.

As part of our role, and drawing from our work that is already being adopted by Government, we are providing Local Authorities with guidance on approaches to CO₂ reduction policies for new homes – addressing energy efficiency first and then considering what are technically and financially appropriate levels of on-site low and zero carbon technologies.

Our role was most recently asserted by Government in the consultation on Building Regulations Part L that closed on April 27th 2012¹:

'The work of the Zero Carbon Hub... has been instrumental in development of a definition for zero carbon homes. Two of their reports on the on-site standards have been particularly important in considering the 2013 changes:

¹ www.communities.gov.uk/publications/planningandbuilding/brconsultationsection2

- *Defining an Energy Efficiency Standard for Zero Carbon Homes*² (November 2009)...
- *Carbon Compliance for Tomorrow's New Homes*³ (February 2011)

**2012 consultation on changes to the Building Regulations in England
Section two Part L (Conservation of fuel and power) P.19**

The minimum Fabric Energy Efficiency Standard we developed in 'Defining an Energy Efficiency Standard' is proposed for adoption in this consultation and has already been adopted by the Code for Sustainable Homes. This follows the energy efficiency first approach that is the first of three sequential steps that form Government's hierarchy for achieve low CO₂ homes:

1. Energy efficiency (fabric standards)
2. Carbon compliance (on-site & connected renewables)
3. Allowable solutions (off-site solutions)

To identify appropriate levels of onsite low and zero carbon technologies, once energy efficiency has been considered, we have undertaken further work with private, public not-for-profit and government sector organisations. The findings were published in 'Carbon Compliance for Tomorrow's New Homes'⁴.

The recommended levels to be applied to 'built performance' within the 2016 Building Regulations are (using 2016 CO₂ emission factors);

- 10 kg CO₂(eq)/m²/year for detached houses
- 11 kg CO₂(eq)/m²/year for attached houses
- 14 kg CO₂(eq)/m²/year for low rise apartments

These are approximately equivalent to reductions from 2006 Building Regulations of 60% for detached, 56% for semi and 44% for flat dwellings.

Considering that:

- this work considered technical feasibility, commercial viability and policy context
- these recommendations are for 2016 and estimated cost of complying with these recommendations in 2016 is around half the estimate cost of complying in 2010
- Building Regulations 2010 included a 25% reduction from 2006 and
- the hierarchy is for fabric energy efficiency measures to be applied first

On a general national level a technically feasible, commercially viable, national policy compliant requirement for CO₂ reductions will be substantially less than the Code Level 5 requirements which are equivalent to reductions from 2006 Building Regulations of 100%. We do of course acknowledge that the appropriate level for a particular development will have course be site & location dependent.

² www.zerocarbonhub.org/building.aspx?page=2

³ www.zerocarbonhub.org/definition.aspx?page=8

⁴ www.zerocarbonhub.org/resourcefiles/CARBON_COMPLIANCE_GREEN_OVERVIEW_18Aug.pdf

The introduction of the new National Planning Policy Framework⁵ earlier this year sets out the framework for planning policy at a national and local level with regard to sustainable development. In doing so it replaces PPS1: Delivering Sustainable Development and PPS22: Renewable Energy.

In relation to this we highlight that the National Planning Policy Framework states:

Paragraph 95. To support the move to a low carbon future, local planning authorities should:

- *plan for new development in locations and ways which reduce greenhouse gas emissions;*
- *actively support energy efficiency improvements to existing buildings; and*
- *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.'*

Paragraph 212. However, the policies contained in this Framework are material considerations which local planning authorities should take into account from the day of its publication. The Framework must also be taken into account in the preparation of plans.

We do not consider that the Winchester Core Strategy requirement for Code Level 5 for energy is consistent with the Government's Zero Carbon buildings policy which is being implemented through the national Building Regulations Part L 2010 and 2013.

Further, the Government's Housing and Growth statement on 6th September announced that a fundamental review of the building regulations framework and local housing standards was being set up. Its purpose is to significantly rationalise the Codes, Standards, rules, regulations and guidance that add unnecessary cost and complexity to the house-building process. As part of the review, a 'Housing Standards Working Group' is to take forward and oversee an intensive series of working groups, whose aim is to rationalise the existing tangle of standards into a simple, costed, much shorter document. This will be consulted on in the New Year, and the process should be completed by spring 2013.

The Housing Standards Working Group was set up in September 2011 under the joint sponsorship of the Home Builders Federation and the Local Government Group. It is chaired by Sir John Harman and includes representatives from the house building, planning, and associated sectors, local and national government.

The group's remit is to report on how the sector should operate the requirement of viability testing of Local Plans under the NPPF, but was also asked to "identify the standards most commonly applied locally on housing developments and make recommendations for rationalisation whilst ensuring that development remains viable, sustainable, of a high standard, and the consumer is protected". This has been the subject of the work of a Standards subgroup which will report at the same time.

⁵ www.communities.gov.uk/publications/planningandbuilding/nppf

The subgroup identifies the ten most commonly applied standards as of which the Code for Sustainable Homes is one. Criteria for credible standards were developed by the group, and the topic areas of accessibility, energy, security and water were appraised against these. This led to the conclusion that there is ample scope to develop simplified and harmonised standards. To take this forward the report is expected to recommend the formation of a properly-constituted and representative cross-sector industry group, with Ministerial backing.

Sir John points out that the Code for Sustainable Homes is due to be reviewed by March 2013 and that any further work on simplifying standards should preferably be carried out to the same timescale.

A simplification of standards and the removal of overlaps and duplication are supported by all involved in the development of new homes. Housing developers in the public and private sectors would welcome the reduced costs this would bring, along with greater certainty and consistency with which standards would be applied locally. The group's recommendation that some of the widely-adopted but currently voluntary standards should be incorporated in the Building Regulations, would also have the advantage of ensuring that the standards are applied to all homes rather than just some of them.

Therefore we consider that the Winchester Core Strategy Policy CP11 requirement that all new dwellings to meet the Code for Sustainable Homes Level 5 for energy to be beyond those required by national Building Regulations, against the current policy direction of travel for zero carbon buildings and the National Policy Planning Framework. Further given the current uncertainty over the future requirements or existence of the Code for Sustainable Homes, the policy should be in reference to national policy and Building Regulations which have greater certainty. Therefore we would suggest that a more appropriate policy in line with national policy and compliant with the National Planning Policy Framework is developed and adopted in its place.

If you wish to discuss the details of this letter with the writer do not hesitate to do so.

Yours faithfully



Rob Pannell
Director