# ANNEX A: Briefing note

## Government consultation on The Future Homes Standard: changes to Part L and Part F of the Building Regulations for new dwellings

### 1.0 Summary

The Government has published a consultation proposing amendments to the Building Regulations Part L (conservation of fuel and power) and Part F (ventilation)[1]. Part L and Part 6 of the Building Regulations are the means by minimum energy efficiency standards are regulated in new homes. Part F of the Building Regulations is the means by which appropriate ventilation is regulated in new buildings.

A key element of the consultation are proposals for a Future Homes Standard which will bring forward significant uplifts/improvements to existing Part L of the Building Regulations from 2025; and an interim uplift in Part L from 2020 as an "achievable stepping stone". The proposals build on the commitment set out in the 2019 Spring Statement. The consultation also proposes changes to expectations around ventilation in Part F and associated guidance in relation to air tightness and as-built performance which are important elements to bring forward alongside changes to Part L.

The consultation goes into considerable technical detail. This summary does not cover every aspect and instead highlights the strategic relevance of the topic area and proposals in relation to the climate emergency work and the anticipated future update of the adopted Local Plan.

### 2.0 Why is this relevant?

In July 2019, the Council declared a climate emergency and committed to working towards making the Council and the whole district carbon neutral by 2045. According to the 2017-based Local Authority CO2 emissions estimates dataset[2], domestic emissions account for approximately 26.2% of all emissions in Cotswold District, down from 29.9% in 2005.

These emissions are primarily associated with space heating and cooling, hot water, cooking and electricity use. The choices taken in the construction of new homes with regards to building design, fabric and services have a significant impact on their energy use and associated emissions. During construction, new dwellings must comply with Building Regulations, which set a minimum threshold standard.

The Committee on Climate Change's Net Zero report[3] details the independent advisor's recommendations to the Government on what is necessary to deliver net zero emissions in the UK by 2050. The report recommends that achieving this target will require the full decarbonisation of buildings by 2050. As part of this, buildings will require significant improvements in energy efficiency as a precursor to low carbon heat (including ensuring that no new homes are connected to the gas grid from 2025). The homes we build now will exist in 2050, and as such should be fit for the future and not require costly and unnecessary retrofit in the future.

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1 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/843757/Future_Homes_Standard_Consultation_Oct_2019.pdf

2 https://www.gov.uk/government/collections/uk-local-authority-and-regional-carbon-dioxide-emissions-national-statistics

3 https://www.theccc.org.uk/publication/net-zero-the-uks-contribution-to-stopping-global-warming/

In response to this, the Council's climate emergency declaration identifies the need to drive towards zero carbon buildings in new developments by as early a date as possible; to ensure energy use is reduced and minimised; and to ensure that heat and power consumed in the district is decarbonised as much and as quickly as possible. Responding to this and similar consultations is also identified as a must.

Currently, it is within the gift of local authorities to set planning policy requirements that exceed Building Regulations[4]; the adopted Local Plan does not require this. There are options available to that uplift overall carbon reduction of new dwellings beyond simply their energy performance, for example through effective masterplanning and building orientation, renewable energy generation and connection to heat networks. By way of an example, the emerging London Plan[5] includes a net zero target and a requirement for 35% on-site reduction; the recently adopted Plan:MK[6] includes a policy requiring the equivalent of a 39% reduction, and the emerging Oxford Local Plan is looking set to require a 40% reduction from adoption, rising to a 50% reduction from 2026 and zero carbon from 2030.

The consultation proposes to remove the ability for local authorities to set planning policy requirements that exceed Building Regulations. This creates a significant risk to the Council's net-zero ambitions, were this proposal to be adopted.

## 3.0 The Future Homes Standard – proposed for implementation in 2025

The consultation states: "*We expect that an average home built to* [the Future Homes Standard] *will have 75-80% less carbon emissions than one built to current energy efficiency requirements (Approved Document L 2013). We expect this will be achieved through very high fabric standards and a low carbon heating system. This means a new home built to the Future Homes Standard might have a heat pump, triple glazing and standards for walls, floors and roofs that significantly limit any heat loss*".

The Future Homes Standard will be a fabric first approach. However, it is recognised that fabric only measures will not on their own enable new dwellings to play their part in achieving the national 2050 net zero target, and these measures will need to be supported by low carbon heat, most likely from heat pumps, heat networks and in some cases direct electric heating. Examples include:

*Heat pumps*

Heat pumps (particularly air-to-air and air-to-water heat pumps) are expected to play a major role. Heat pumps run on electricity and are therefore increasingly attractive as the electricity grid decarbonises. However, they are far more efficient than direct electric heating, meaning lower energy usage and running costs. Despite this, they are not currently a mass market solution especially for existing homes and individual homeowners. At volume, the Council would argue the hesitance with renewable heating is more to do with the culture of housebuilders rather than capital upfront cost being inhibitive. Equally, the installation costs decrease significantly.

*Heat networks*

[4] However, in relation to energy performance of new dwellings this is limited to a 19% reduction improvement in carbon emissions over Part L 2013 – equivalent to the energy requirements of the former Code for Sustainable Homes Level 4.

[5] https://www.london.gov.uk/what-we-do/planning/london-plan/new-london-plan/intend-publish-london-plan-2019

[6] https://www.milton-keynes.gov.uk/planning-and-building/plan-mk

Heat networks are expected to play a strong role. They distribute heat generated by a centralised source (e.g. from large scale renewables such as biomass boilers, solar thermal, constant heat bodies such as lakes and canals, or recovered waste heat from things like industrial processes or waste treatment) around a network of connected buildings. They are attractive as the heat source can be improved / decarbonised without interfering with individual households. However, they are only appropriate in certain circumstances. For example, there will be some interference as retrofitting heat networks to existing homes requires the removal of existing gas boiler and installation of individual heat metering linked to the central system. In new-build, the barrier is user 'ignorance'. If builders fit and leave without detailed instruction to the householder, then the system could be used inefficiently.

*Direct electric heating*

According to the consultation direct electric heating is expected to play a minor role. It has the same attractiveness linked to grid decarbonisation as heat pumps and is efficient, though not nearly as efficient as a heat pump. It is a well-established technology that has low capital upfront costs, but the Government states this can be expensive to run (a particular concern would be increased fuel poverty), and if this system is deployed at scale it could place significant strain on the already capacity constrained electricity grid. The Government indicates that direct electric heating might be best used only in new homes built to the very highest fabric standards (therefore having very low heat demand).

A fabric first approach improving energy efficiency requires an inclusive approach that considers heat loss, thermal bridging, airtightness, overheating and ventilation. Failure to adopt this approach[7] can lead to poor air quality and issues of condensation, mould growth and overheating, for instance. For this reason, the Government proposes to improve Part F (ventilation) and air tightness guidance alongside Part L, and to bring forward further consultation on overheating in new dwellings later in 2020.

There will be further consultation on the technical details and costings of the Future Homes Standard in due course, but currently it is expected that it will set minimum in-performance levels of primary energy and CO2 emissions, limiting fabric standards and building services standards, without prescribing the technologies to be used, allowing flexibility within the overall requirement envelope.

It is worth reflecting on the 2018 Hackett Review that highlighted the performance gap between designed and built new homes is made worse by the weak enforcement of building regulations. Minimum performance levels could be rendered meaningless if the inspection regime isn't strengthened. From a Development Management perspective the Council might see an increase in the number of traditional storage heaters which, on the face of it, demonstrate efficiency (and would add positively to the planning balance) but in reality could lead to the unintentional increase in fuel poverty.

The Government indicates that they will bring forward a further consultation exploring options for future tightening of Building Regulations beyond the 2025 Future Homes Standard in due course, in the context of the Grand Challenge Buildings Mission to halve energy use of new buildings by 2030. They also suggest, however, that as the electricity grid decarbonises, homes built to the Future Homes Standard will progressively become net zero carbon over time without the need for further adaptations.

[7] e.g. delivering high levels of thermal insulation but neglecting to provide appropriate ventilation services

## 4.0 An interim uplift from 2020

The Government suggests that it will not be feasible to bring in the Future Homes Standard until 2025. The consultation states that *"not all home-builders are ready to build to higher fabric specifications yet",* and that *"there may not be the necessary supply chains, trained installers and product availability needed for every home-builder to do so".* Supply chain issues and availability of qualified installers are identified as issues for heat pumps in particular. The lead-in to 2025 is suggested to be an opportunity to establish a mass market solution to low carbon heating, build the skills and supply chain, and to give builders sufficient notice to gear up to the proposed changes.

In the interim, the consultation proposes bringing in changes to Part L of the Building Regulations in late 2020 that would see an *"achievable stepping stone"* between current Building Regulations and the Future Homes Standard proposals. The consultation proposes two performance-based options for this interim uplift:

**Option 1:** 20% reduction in carbon emissions compared to the current standard for an average home. The Government anticipate this could be delivered by very high fabric standards (typically with triple glazing and minimal heat loss from walls, ceilings and roofs). This option would use the same fabric requirement as the Government currently anticipates would be used in the Future Homes Standard, but would be reliant on a gas boiler and a waste water heat recovery system. It is anticipated to add c. £2,557 to the build cost of a new home but save households in the region of £59 per year on energy bills over current standards.

**Option 2:** 31% reduction in carbon emissions compared to the current standard. The Government anticipate this could be delivered based on the installation of carbon-saving technology such as photovoltaic (solar) panels and better fabric standards, though not as high as in Option 1 (typically double not triple glazing). This option would be built to a lower fabric standard than above, continue to use a gas boiler and waste water heat recovery but include solar PV panels. It is anticipated to add c. £4,847 to the build cost of a new home and save households in the region of £257 a year on energy bills over current standards.

To put this into context, the 2013 version of Approved Document L introduced a 6% reduction in emissions. The Government is consulting on Option 2 as their favoured option.

The proposals look to shift the primary performance target for assessing buildings against Part L from Fabric Energy Efficiency Standards and CO2 emissions to primary energy (whilst retaining CO2 emissions as a secondary performance metric) and to introduce a new requirement to ensure energy costs to the householder are reasonable. These proposals are in response to the fact that the electricity grid has decarbonised far quicker than expected and is expected to continue to do so.

As a result of this decarbonisation, it could, unless appropriate checks and balances are introduced, lead to developers installing (cheap to install) direct electric heating solutions which are low carbon, but which could well have very high running costs to householders/residents. Proposals seek to remove the fuel factor (for high-carbon fossil fuels), which in effect relaxes the Target Emission Rate for homes that cannot connect to the gas mains. The allowance has historically assisted rural homes to achieve compliance by giving dispensation for using oil or electric heating systems. Its revocation will mean that if oil, LPG or solid mineral fuels are used in new homes, then considerable mitigating measures would need to be installed to reach parity with a new gas-heated building. The removal of the fuel factors allowance is likely to have a proportionately greater impact in Cotswold District than neighbouring authorities. To put this in context, approximately 54% of homes in Cotswold District are not connected to the gas network and 28% of homes are over 2km from the gas network. The

figures for West Oxfordshire are 38% and 26% respectively[8]. These factors will need to be closely monitored to ensure they do not lead to a proliferation of fuel poverty issues.

New requirements will be set that would ensure that even where a low carbon heating system is not delivered during construction, buildings are designed to be ready for easy retrofit in the future. Heat pumps and heat networks operate most efficiently at lower temperatures than a traditional gas-fired heating system, as such the consultation proposes two alternative ways to ensure that wet heating systems operate at 55°C or lower. This may result in dwellings with oversized radiators in the first instance, but a heating system that would be easier and less costly to upgrade to a low carbon heat source in the future.

There is often a large difference between how buildings are designed and how they perform in reality. This "performance gap" is a significant issue and, amongst other things, means that homes are not being built as energy efficient as expected. This is down to three main factors: energy model limitations; different behaviour patterns of occupiers; and poor build quality – this being of particular relevance and importance. The consultation proposes several improvements to standards designed to improve build quality and reduce that performance gap.

The EU Energy Performance of Buildings Directive (EPBD) requires all new buildings to be Nearly Zero Energy Buildings (NZEBs) by January 2021. The proposed interim changes to Part L have been set out to align with these requirements and the Government considers that both of the uplift options would meet the EPBD definition of an NZEB, as well as the 'cost optimal' definition.

The consultation brings forward several other proposals about more detailed and technical changes to Building Regulations and associated guidance notes. This is in relation to specific fabric standards, fuel factors, building services, ventilation, airtightness standards and how compliance is calculated through the SAP .

## 5.0 Ensuring certainty and consistency

Currently, under the Planning and Energy Act 2008 (as amended), local planning authorities are able to set and apply planning policies that require compliance with energy efficiency standards which exceed the energy requirements of the Building Regulations. The adopted Local Plan does not require new homes to exceed Building Regulations.

In March 2015, the then Government issued a Written Ministerial Statement which stated:

"*For the specific issue of energy performance, local planning authorities will continue to be able to set and apply policies in their Local Plans which require compliance with energy performance standards that exceed the energy requirements of Building Regulations until commencement of amendments to the Planning and Energy Act 2008 in the Deregulation Bill 2015.*

*This is expected to happen alongside the introduction of zero carbon homes policy in late 2016. The government has stated that, from then, the energy performance requirements in Building Regulations will be set at a level equivalent to the (outgoing) Code for Sustainable Homes Level 4. Until the amendment is commenced, we would expect local planning authorities to take this statement of the government's intention into account in applying existing policies and not set conditions with requirements above a Code level 4 equivalent. This statement does not modify the*

[8] https://www.nongasmap.org.uk/ - Geographical data is provided at the district and Lower Super Output Areas

*National Planning Policy Framework policy allowing the connection of new housing development to low carbon infrastructure such as district heating networks."*[9]

This statement was made at a point in time when the Government (at least in public) remained committed to implementing the zero carbon homes standard in 2016. It essentially set out an expectation that where local planning authorities set energy efficiency standards exceeding Building Regulations, they would be limited to being no higher than the energy requirements set out in Level 4 of the Code for Sustainable Homes – which equates to approximately a 19% improvement reduction over Part L 2013 (current Building Regulations). The NPPF expects plans to "*take a proactive approach to mitigating and adapting to climate change",* yet also states that "*Any local requirements for the sustainability of buildings should reflect the government's policy for national technical standards*". Despite this, as set out earlier in this note, several authorities have successfully set policies which go much further.

The Government indicates that this has led to a patchwork of different policy positions and requirements across the country which is confusing to developers and, amongst other issues, creates inefficiencies in supply chains. They also raise concerns that some of these policies require overly-technical decisions to be made by planning officers, planning committees and planning inspectors rather than building inspectors.

The statement refers to proposed changes to the Planning and Energy Act 2008 emanating from the Deregulation Act 2015, which (if brought into force) would prevent local authorities from setting planning requirements on energy efficiency that exceed Building Regulations. However, this section of the Deregulation Act has never been enacted but, as a result of the above, the Government is now considering doing so. They suggest that they could look to do this alongside the interim uplift in 2020, or alongside implementation of the Future Homes Standard in 2025. From that point, local planning authorities would be unable to set local plan policies that exceed Building Regulations.

## 6.0 Transitional arrangements

At present, the Building Regulations include transitional arrangements which mean that a development must be built to the Building Regulations that were in place when they applied. However, this has led to developments being built to out of date versions of Part L introduced in 2010 and even 2006. This leads to lower levels of energy efficiency and higher fuel bills than occupiers might expect from a new home, as well as higher levels of CO2 emissions. As such, the consultation proposes the introduction of more stringent transitional arrangements.

The consultation proposes that where a development submits an initial notice, building notice or full plans deposit to a building control body before the 2020 changes to Building Regulations come into force, then the transitional arrangements will only apply where work has begun on an individual building covered by that notice/plan. This means that other buildings within that development that have not yet been started by the time the 2020 changes are implemented will have to comply with the new regulations. Developers will no longer be able to lock in earlier standards for long periods.

*Proposals in relation to the 2025 Future Homes Standard*

The consultation proposes three options for how transitional arrangements might work in relation to the Future Homes Standard:

[9] Eric Pickles, SoS for Communities and Local Government (2015) Planning update March 2015, available at https://www.gov.uk/government/speeches/planning-update-march-2015

1. to reduce the reasonable period for an individual building to start being built to one that is shorter than the 2020 period, while retaining the application of transitional arrangements to individual buildings only;
2. to amend or remove existing Part L transitional protections applicable to those already building to previous standards; and
3. to amend section 32 of the Building Act 1984 so that full plans would lapse after a period of time for all individual buildings not yet built (which would require fresh full plans that are consistent with updated standards).

# ANNEX B: Proposed response

Cotswold District Council (the Council) welcomes the opportunity to comment on your proposals, which is timely as the Council has recently declared a climate emergency. The Council's response focusses on the strategic issues raised by the consultation.

**The Future Homes Standard**

In 2015, Government cancelled the previous zero carbon homes standard that the housing industry had been working towards for over a decade and that should have come into force in 2016. Therefore, the proposal to bring in a Future Homes Standard which improves the carbon and energy performance of new dwellings is welcomed. However, until the detailed requirements of the Future Homes Standard are identified it is difficult to establish the true extent of the Government's ambitions, especially in relation to "very high fabric standards".

The Council notes the Government's commentary on the feasibility (i.e. that it is not possible before 2025) but it questions this and the underlying assumptions. The Council does not accept the proposition that the house building industry is unable to call upon lessons learnt in the preparation for those earlier (but revoked) standards.

The consultation document indicates that the Future Homes Standard is expected to deliver homes with 75-80% less carbon emissions than current Part L requirements. This uplift is welcomed, but is insufficient on its own.

The Committee on Climate Change Net Zero report requires "full decarbonisation of buildings by 2050"[10] and its Fit For the Future report[11] calls for ultra-high levels of energy efficiency by 2025 at the latest[12]. We must start constructing buildings to be futureproofed for a net-zero future now to avoid the need for costly retrofit, suitability and fuel poverty issues being stored up for years to come. The issue of retrofitting the existing building stock is already a significant challenge (especially in a rural areas), and should not be added to by new homes that are built to insufficiently ambitious standards. The Council requests that the Government should set a pathway towards zero carbon homes rather than aiming for 75-80% carbon reduction.

The proposal to implement the Future Homes Standard in 2025 is a significant improvement on the existing ambiguity of national policy and the Council recognises the necessity for a succinct lead-in period to significantly enhanced standards. The Council is greatly concerned, however, that the continued delay shows a lack of ambition and does not adequately progress the reduction of CO2 emissions. History shows that plans to adopt nationally-led increments in the energy standard of new homes are sometimes not implemented. Therefore, the Council invites the Government to introduce a zero carbon standard within the next 36 to 48 months, in order to give a clear message to the housing industry and a robust stimulus to the heating and insulation supply chain.

The Council welcomes the Government's acknowledgement that supply chains, trained installers and product availability might be issues if the transition is too quick, but, equally, setting a highly ambitious Building Regulations will create greater urgency and the market will respond

[10] The CCC (2019) Net Zero – The UK's contribution to stopping global warming, available at https://www.theccc.org.uk/publication/net-zero-the-uks-contribution-to-stopping-global-warming/, p.200
[11] https://www.theccc.org.uk/publication/uk-housing-fit-for-the-future/
[12] The CCC (2019) UK Housing: Fit for the future?, available at https://www.theccc.org.uk/wp-content/uploads/2019/02/UK-housing-Fit-for-the-future-CCC-2019.pdf

appropriately to consumer demands. Should the 2025 date remain as proposed, then the Council invites the Government to ensure the standard leads to zero carbon buildings upon completion, not "over time" as the grid decarbonises. Relying on decarbonisation of the grid is not guaranteed and it requires significant investment in the renewable sector, continental interconnections, and battery storage. This is needed to accommodate the expected increase in demand from the electrification of heat and transportation; and to mitigate the energy gap from ageing nuclear power stations, closure of coal and gas-fired stations and the expected retirement of ageing onshore-windfarms[13].

If the country is to move towards greater electrification of heat, this policy needs to be supported by greater Government policy support and incentives for renewable energy including on-shore wind and solar.

**2020 Uplift**

An immediate uplift of Building Regulations from 2020 is welcomed. However, the proposals are not considered to be ambitious enough on their own.

At October 2019, 265 out of 408 (65%) of UK councils had declared a climate emergency with 61% of those declared seeking carbon neutrality by 2030[14]. This clearly demonstrates a vast expectation to set and achieve improvements above existing Building Regulations. This brings into focus again, why the Future Homes Standard should either be brought forward or uplifted further if it remains at 2025.

Of the two options proposed, Option 1 would achieve a 20% carbon reduction improvement over existing Building Regulations, whilst Option 2 would achieve a 31% improvement. However, Option 1 is a fabric-based solution, whilst Option 2 has a small fabric uplift but is primarily met through installation of solar PV.

Installation of solar PV can achieve high carbon reductions now, but over time as the grid decarbonises, these savings will reduce. Meanwhile, Option 2's lower level of energy efficient fabric will retain greater space heating requirements for instance than Option 1. A fabric first approach should always be encouraged alongside measures to ensure that PV can be easily installed in the future by the occupier (particularly if coupled with improved/replacement renewable incentives) – retrofitting energy efficient fabric is much more costly and intrusive to an occupier.

Research[15] suggests that due to the proposed removal of Fabric Energy Efficiency Standards, the 2020 uplift proposals could in fact lead to worse fabric energy efficiency than is currently allowed through the existing Part L 2013. Therefore, the Council strongly recommends that the highest possible carbon reduction levels should be sought in 2020, but via a target that puts greater emphasis on improving the building fabric ahead of reliance upon solar PV.

As such, the Council does not support either Option 1 or Option 2 but instead asks the Government to go much further. It has been clearly demonstrated that it is economically and technically viable for developers to meet the requirements of the London Plan and the Milton Keynes Plan (Plan:MK),

[13] https://interactive.carbonbrief.org/how-uk-transformed-electricity-supply-decade/
[14] https://www.climateemergency.uk/blog/list-of-councils/
[15] Evidence commissioned by the West of England local planning authorities https://www.bathnes.gov.uk/sites/default/files/sitedocuments/Planning-and-Building-Control/Planning-Policy/SPDs/evidence_to_support_responses_to_the_fhs_consultation.pdf and the London Energy Transformation Initiative: https://www.leti.london/part-l

which respectively require a 35% and 39% improvement on current building regulations. Additionally, Bath and North East Somerset, Bristol, North Somerset, and South Gloucestershire Councils are also considering similarly high standards. Their shared evidence base[16] demonstrates that it is possible to achieve net zero regulated carbon emissions from a combination of energy efficiency (10% improvement beyond Building Regulations) on-site renewable energy and allowable solutions for an additional capital cost of between 5-7% for homes and non-domestic buildings. Achieving net zero regulated and unregulated emission is likely to result in a cost impact of 7-11% for homes.

Given that supply chains and skills will develop rapidly in the case where improved national Building Regulations are adopted, and that higher standards than either Option 1 or Option 2 have already been proven to be viable in England, the Council considers both options to be insufficiently ambitious.

The Council welcomes the recognition that unless appropriately regulated, the decarbonisation of the electricity grid may lead to developers installing cheap to install but expensive to run direct electric heating. Failure for regulations to adequately address this could lead to major fuel poverty issues in the future. Data[17] shows that 11.1% of properties in Cotswold District are in fuel poverty. The Council therefore supports in theory the need to set a minimum target to ensure that new homes are affordable to run. However, the proposal as presented is ineffective in the absence of a robust inspection scheme with associated powers to require developers to address any significant gaps between modelled and actual energy demand. Additional guidance is requested to support rural authorities such as Cotswold District to accommodate and mitigate the likely impacts of revoking the 'Fuel Factor' allowance (question 16).

Unless heavily regulated, the Council challenges the assumption that direct electric heating would only be a minor component of future heating systems. The reality is that direct electric heating is likely to be the lowest cost solution and developers will have a strong financial incentive to use it.

**Ensuring certainty and consistency**

The Council is opposed to the proposal to enact Section 43 of the Deregulation Act 2015, which would have the effect of removing the ability for local authorities to set planning policy requirements that exceed Building Regulations.

The Council notes the desire for national standards. However, the Government should acknowledge the gulf in ambition between itself and local authorities in tackling the climate emergency[18]. The RTPI Planning for a Smart Energy Future research identifies the necessity for strong national standards, but also the role that local authorities can play in driving up ambition through local authority standards in parallel to this. "Restricting the ability of LPAs to set higher energy efficiency or zero carbon standards seems at odds with the overall direction of Government policy on decarbonisation and localism"[19].

[16] www.bathnes.gov.uk/sites/default/files/sitedocuments/Planning-and-Building-Control/Planning-Policy/LP20162036/cost_of_carbon_reduction_in_new_buildings_report_publication_version.pdf.
[17] https://www.nongasmap.org.uk/
[18] https://www.climateemergency.uk/blog/list-of-councils/
[19] RTPI (2019) Planning for a Smart Energy Future, available at https://www.rtpi.org.uk/media/3488060/Planning%20for%20a%20Smart%20Energy%20Future.pdf pp 28-29.

In addition, in 2018 the Government's own response to the NPPF consultation[20] stated that local planning authorities would continue to be able to set higher energy efficiency standards than those required by building regulations[21]. This consultation proposal therefore represents a rowing back from a higher level of prior Government ambition on this issue, which the Council is strongly opposed to.

Therefore, the Council strongly advises that the ability for local authorities to set more ambitious local standards is retained and unambiguously stated by the Government. Much like meeting the objectively assessed housing needs (standard method), national targets should be a floor, not a ceiling.

**Transitional arrangements**

The Council welcomes the recognition that there is currently an issue with developers "locking in" compliance with out of date regulations. The proposal to shift to a building-by-building approach for these arrangements is credible and appropriate. However, this approach needs to be accompanied with advice about how this approach should be considered in terms of development viability in the planning process.

Option 3[22] of the proposed transitional arrangements for the Future Homes Standard is preferred so long as it applies to sites that have already been through the system. However, additional guidance is required in order to identify potential ways to introduce improved requirements on these sites where appropriate. The Council support bringing this proposal forward to 2020.

**Climate resilience**

The Committee on Climate Change Net Zero report also states that "in addition to being low-carbon, these new buildings must be energy and water efficient and climate resilient"[23]. The UKCP18 climate projections identify "a move towards warmer, wetter winters and hotter, drier summers"[24] and in particular that we should plan for a 16-fold increase in hot spells exceeding 30C on more than two consecutive days[25].

The consultation document does not refer to the need to bring forward improvements in water efficiency or wider climate resilience in new buildings, with the exception of stating that there will be further consultation in relation to overheating in new dwellings within the next year.

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20 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/728498/180724_NPPF_Gov_response.pdf

21 "In particular, local authorities are not restricted in their ability to require energy efficiency standards above Building Regulations. The Government remains committed to delivering the clean growth mission to halve the energy usage of new buildings by 2030."

22 "to amend section 32 of the Building Act 1984 so that full plans would lapse after a period of time for all individual buildings not yet built (which would require fresh full plans, therefore building to updated standards)"

23 The CCC (2019) Net Zero – The UK's contribution to stopping global warming, available at https://www.theccc.org.uk/publication/net-zero-the-uks-contribution-to-stopping-global-warming/, p.201

24 Met Office (2019) UKCP18 Science Overview Executive Summary, available at https://www.metoffice.gov.uk/binaries/content/assets/metofficegovuk/pdf/research/ukcp/ukcp18-overview-summary.pdf, pp.2-3

25 Met Office (2019) UKCP: New Local (2.2km) results presentation, available at https://www.metoffice.gov.uk/binaries/content/assets/metofficegovuk/pdf/research/ukcp/ukcp18_cpm_launch_kendon_sept19-20190926_with-notes.pdf

It is essential that buildings that are being built today should include responses to the climate change, which will safeguard them against likely climate change related issues that they will experience over their expected lifespan. Failure to do so will lead to future costly retrofit, which will be in addition to the retrofitting that is already required to improve existing stock. It may also lead to significant public health concerns arising from overheating and/or lead to unintended higher energy use and carbon emissions from use of avoidable cooling services such as air conditioning.