

HEARING STATEMENT

MATTER 15: Climate Change & Sustainable Development

BLOOR HOMES LTD, CAMERON HOMES LTD, LOVELL HOMES LTD, FOUR ASHES ROAD LTD

1. ISSUE 1

Whether the Plan is justified, effective and consistent with national policy.

Question 2: In terms of Policy NB6A

d. Is Policy NB6A consistent with the parameters set out in the Written Ministerial Statement on Energy Efficiency (December 2023) in terms of:

i. the proposed target levels;

ii. the robustness of the submitted evidence supporting any proposed uplift;

iii. how the proposed targets are expressed within policy;

iv. the viability implications on future development proposals, including when assessed cumulatively with other development plan policy requirements;

v. providing flexibility to respond to the viability findings of individual schemes?

- 1.1 Policy NB6A is wholly inconsistent with intended policy direction set out in the Written Ministerial Statement (WMS) published in December 2023.
- 1.2 The Bioregional Addendum to Task A main report [EB61a] recognises the WMS places severe new limitations on the exercise of existing powers held by LPAs to require improvements in the energy and carbon performance of proposed new buildings in their area.
- 1.3 Whilst the WMS does not remove the ability to set improved standards, it places significant emphasis on the need for a well-reasoned and robustly costed rationale that ensures that development remains viable, and the impact on housing supply and affordability is considered.
- 1.4 There is no locally specific and robust evidence to support a different and more onerous approach to energy efficiency targets in South Staffordshire District over and above the nationwide approach, with the only rationale being linked to precedents in other parts of the Country, where plans were introduced prior to the WMS.
- 1.5 In addition, the Viability Study Stage 2 [EB40] failed to consider the increased costs of achieving the policy requirements alone or in combination with other policy burdens. This has only been considered following the latest Regulation 19 consultation and has not been subject to consultation.

- 1.6 A locally specific CO² reduction requirement is unnecessary and without justification for deviation from Government's approach. Policy NB6a is adding unwarranted additional burdens beyond those established through current and planned building regulations. It is the Government's clear intention to set standards for energy efficiency through the building regulations. The key to success nationally is standardisation and avoidance of individual Council's specifying their own policy approach to energy efficiency, which undermines economies of scale for product manufacturers, suppliers and developers.

e. What evidence supports the targets set out in A1, A2 and A3 of the policy?

- 1.7 There is no evidence to support local targets in South Staffordshire District that undermine the Government's approach in progressing towards net zero as set out in legislation.

i. Has the policy been the subject of a viability assessment? Are the viability assumptions about the cost of offsetting relative to on-site measures robust? As currently worded, how does the policy secure the delivery of an appropriate level and means of offsetting?

- 1.8 The policy has only been subject to viability assessment following the close of the Regulation consultation on the draft Local Plan. This is set out in the Further Note on Viability [EB39]. This clearly demonstrates an uplift in cost against current Building Regulations and the previous iteration of Policy NB6 set out in the 2022 Publication Local Plan.

- 1.9 The Further Note on Viability recognises that estimated extra over costs put forward in viability or other evidence for net zero energy standards range from around 1% to 11% added to base build costs. An assumption has been made that the costs in South Staffordshire would broadly be in the centre of this wide range. No further sensitivity testing has been undertaken at the higher end of the broad range identified.

- 1.10 It is also not clear whether the assumed uplift applied through the viability assessment relates to all policy requirements set out in Policy NB6a or just those relating to A1-A3 and whether this is the same for the 1-11% comparison range.

- 1.11 Concerns are raised that any costs associated with carbon offsetting have not been identified if on-site reduction is unviable or unfeasible? If onsite reduction is unviable, it appears there is an assumption that carbon offsetting would be viable.

k. What barriers, if any, exist in terms of fulfilling the requirement for post occupation evaluation required by part A7 of the policy?

- 1.12 It is not understood whether this would require the developer to access occupied homes to undertake monitoring. It is considered unreasonable to obligate a house purchaser to allow access on an annual basis over a five-year period.

a. Are any modifications necessary in the interests of soundness?

- 1.13 The Policy is not justified and in light of the WMS it should be deleted in its entirety.

Question 4: In terms of Policy NB6C:

a. What is the basis of this policy approach, and is it consistent with national policy? What does the policy add over and above current Building Regulations to addressing climate change?

- 1.14 There is no mechanism to address embodied carbon in national policy. As with Policy NB6A there is no locally specific and robust evidence to support the need for this policy in South Staffordshire District. The evidence appears to draw on example policies from elsewhere in the Country (London and Bristol).

b. What is the evidence justifying it and the targets set?

- 1.15 There is no locally specific information contained within Bioregional Addendum Task A main report [EB61].

c. Are the policy requirements sufficiently clear in the absence of an associated supplementary planning document?

- 1.16 No. For example a Whole Life Carbon Assessment is only encouraged.

e. Is the Written Ministerial Statement on Energy Efficiency (December 2023) relevant to this local approach to embodied carbon reduction? If so, is Policy NB6C consistent with the parameters set out in that Statement and if not, why is this?

- 1.17 There is no mechanism to address embodied carbon in Building Regulations.

f. Are proposed thresholds and targets clearly expressed in policy and are they justified through robust evidence?

- 1.18 The threshold is clear; however, the residential threshold of 50 and above units has not been justified.

h. Are any modifications necessary in the interests of soundness?

- 1.19 The Policy is not justified and should be deleted in its entirety.

