

North Somerset Council policy position on Housing standards - including Code for Sustainable Homes and Lifetime Homes standards

The planning written ministerial statement released by the Secretary of State (Eric Pickles) on 25 March 2015¹, advises local planning authorities to set out how existing policies relating to housing standards will be applied in light of the statement. The below details how North Somerset Council planning policy will be affected:

Excerpt from the planning statement:

'From the date the [Deregulation Bill 2015](#) is given Royal Assent, local planning authorities and qualifying bodies preparing neighbourhood plans should not set in their emerging Local Plans, neighbourhood plans, or supplementary planning documents, any additional local technical standards or requirements relating to the construction, internal layout or performance of new dwellings. This includes any policy requiring any level of the [Code for Sustainable Homes](#) to be achieved by new development; the government has now withdrawn the code, aside from the management of legacy cases.'

North Somerset Council planning policy following this:

- ❖ **The Council will not implement Code for Sustainable Homes policy, as detailed in Core Strategy policies CS1: Addressing Climate Change and carbon reduction (clause 3) and CS2: Delivering Sustainable Design and Construction (clause 3) to new permissions from 26 March 2015 (when the Deregulation Act received royal assent).**

Excerpt from the planning statement:

'From the date of the Deregulation Bill 2015 is given Royal Assent until 30 September 2015: The government's policy is that planning permissions should not be granted requiring, or subject to conditions requiring, compliance with any technical housing standards other than those areas where authorities have existing policies on access, internal space, or water efficiency.'

North Somerset Council planning policy following this:

- ❖ **Applicants can apply to have existing conditions relating to the Code for Sustainable Homes removed, as per section 73 of the Town and Country Planning Act 1990.**
Guidance on how to do this can be found on the [Planning Portal](#).
- ❖ **The council will encourage developments to support the principle of Lifetime Homes but will not insist on the standard being met on new developments.**

¹ <https://www.gov.uk/government/policies/providing-effective-building-regulations-so-that-new-and-altered-buildings-are-safe-accessible-and-efficient/supporting-pages/technical-housing-standards-review>

The amendment to the Planning and Energy Act 2008 through the Deregulation Act 2015 amends only subsection c) of section 1 (energy policies). This relates to policies imposing reasonable requirements for development to comply with energy efficiency standards that exceed the energy requirements of building regulations.

It does not amend those clauses in relation to a local planning authority's ability to include policies imposing reasonable requirements for a) a proportion of energy used in development to be energy from renewable sources in the locality of the development or b) a proportion of energy used in development to be low carbon energy from sources in the locality of the development.

North Somerset Council planning policy following this:

- ❖ **The council will retain clause 2 of policy CS2 relating to the application of renewable energy standards.**
- ❖ **The council will not at this time, apply new optional technical housing standards relating to water efficiency, space or access standards**

Further detail on required sustainable construction standards in North Somerset can be read in Creating Sustainable Buildings and Places Supplementary Planning Document:

http://www.n-somerset.gov.uk/Environment/Planning_policy_and-research/Documents/Supplementary%20planning%20documents/Creating%20sustainable%20buildings%20and%20places%20SPD.pdf

Planning portal: <http://www.hertsmere.gov.uk/Planning--Building-Control/Planning/Planning-applications/Planning-application-forms/Removal-or-variation-of-a-condition-on-an-existing-planning-permission-%28S73%29.aspx>

As we are not implementing policies relating to the Code for Sustainable Homes and Lifetime Homes, Core Strategy CS2 should now be read as follows:

CS2: Delivering sustainable design and construction

New development both residential (including conversions) and non-residential should demonstrate a commitment to sustainable design and construction, increasing energy efficiency through design, and prioritising the use of sustainable low or zero carbon forms of renewable energy generation in order to increase the sustainability of the building stock across North Somerset.

The greatest potential for energy saving opportunities is likely to be at larger scale developments particularly at the Weston Villages and Weston town centre. In addition these areas are expected to demonstrate exemplar environmental standards contributing to the objectives of Policy CS1, and adding value to the local economy.

When considering proposals for development the council will:

1. Require designs that are energy efficient and designed to reduce their energy demands;
2. Require the use of on-site renewable energy sources or by linking with/contributing to available local off-site renewable energy sources to meet a minimum of 10% of predicted energy use for residential development proposals involving one to nine dwellings, and 15% for 10 or more dwellings; and 10% for non-residential developments over 500m² and 15% for 1000m² and above;
3. ~~Require as a minimum Code for Sustainable Homes Level 3 for all new dwellings from October 2010, Level 4 from 2013, rising to Level 6 by 2016. Higher standards will be encouraged ahead of this trajectory where scheme viability specifically supports this. BREEAM 'Very Good' will be required on all non-residential developments over 500m² and 'Excellent' over 1000m²;~~
4. ~~Require all developments of 10 or more new homes to incorporate 50% constructed to the Lifetime Homes standard up to 2013 and 100% from 2013 onwards.~~
5. Require the application of best practice in Sustainable Drainage Systems to reduce the impact of additional surface water run-off from new development. Such environmental infrastructure should be integrated into the design of the scheme and into landscaping features, and be easily maintained. In moving towards zero carbon development, applicants will ensure that sustainable principles are established in the new proposals from the outset.