**MATTER 8: CREATING SUSTAINABLE DEVELOPMENT**

**Issue 1 – Does the plan set out positively prepared policies relating to climate change and flood risk which are justified, effective and consistent with national policy?**

*8.1 Is the approach to addressing climate change effective and justified? Is it consistent with national policy and the objectives and provisions of the Climate Change Act 2008?*

Broadly HBF consider the approach to considering the impacts of climate change on development to be sound. However, we are concerned that specific elements of the approach, such as DM31, are not consistent with national policy. These concerns are set out in our representations.

*8.2 In the last sentence of Policy DM19, what is the basis for the requirement that major renewable and low carbon energy proposals should include a package of community benefits? Is this justified, and is it clear what would be required?*

No comment

*8.3 Is the Council's proposed modification to part iii. of the policy, requiring no significant harm to the natural environment, needed for soundness?*

No comment.

*8.4 What is meant by 'integrated water management techniques' in the context of Strategic Policy S2 and Policy DM25? Is it clearly set out?*

This is for the Council to answer.

*8.5 In Strategic Policy S2 and Policy DM31, are the requirements for all new buildings to be net zero carbon in operation justified by evidence, fully costed, and consistent with national policy?*

*8.6 In Policy DM31:*

*a. Is the use of energy use targets, rather than target emission rates, supported by evidence?*

HBF does not consider this approach to be sound as it is not consistent with the Written Ministerial Statement on Energy Efficiency in new homes which has now been replicated in NPPF26. The Government have considered whether the use of an alternate energy use metric is appropriate in both planning policy and as part of the consultation on the Future Homes Standard. On both occasions it has concluded not to adopt the type of metric being proposed

by the Council. Whilst the Council may consider it to be a more appropriate measure of building performance to bring in a whole separate form of performance technical performance monitoring is not justified and simply places further burdens on house builders who have been preparing to deliver homes against the Future Homes Standard which is assessed using SAP. The approach proposed by the Council will most likely delay the delivery of new homes in Chelmsford further exacerbating the housing crisis the Council are seeking to address.

*b. Are the requirements for different types and scales of development proportionate? Are they clearly set out*

As set above HBF consider the approach to be inconsistent with national policy. However, if such a standard is to be adopted HBF would recommend that a phased approach to meeting these standards is taken forward to allow the development industry time to adapt to these standards without compromising the delivery of new homes.

*c. In relation to Requirement 4 of Policy DM31, what is the basis for limiting on-site renewable energy generation to roof top solar PV energy? Should the policy provide greater flexibility to allow for other forms of renewable energy generation?*

The Future Homes Standard will require 40% of a building footprint to be provided as solar PV. It is not clear from the policy whether what is being proposed will be consistent with that approach creating confusion between what is required in future building regulation and that required by this local policy.

*d. In cases where on-site energy is impractical, is the approach to offsetting via a financial contribution reasonable and supported by evidence?*

HBF does not consider this to be reasonable as it seeks to require total energy use to be offset by the developer where it is not feasible to meet the proposed standards.

*e. Are the requirements for reporting and monitoring clear and proportionate?*

No. As set out above the Government clear that where local plan seeks to go beyond current standards, they must be based on the Target Emissions Rate and assessed using SAP. As such it is unsound to ask for as built performance standard for every completed home. It is also not clear from the policy who will be collecting this information and how this data will be used and what action could be taken should energy use exceed that set out in the policy. Without any clear purpose or deliverable outcome, the policy is ineffective. This was a point considered by the inspectors examining the Wokingham Local Plan who have stated in their post hearing letter that a similar clause must be deleted as it was not considered to be an effective policy. HBF therefore recommend that requirement 5 is deleted.

*f. Are any changes or updates to Policy DM31, or its supporting text needed for effectiveness?*

At present the proposed approach is not consistent with national policy. HBF considers the most appropriate approach would be to remove this policy and rely on the Future Homes Standard which will mean new homes significantly reducing the amount of carbon they emit compared to previous standards and actually emit no carbon at source. If it is to be maintained, then it must provide a more gradated approach to achieving these standards to allow the development industry to adapt to these standards and ensure that the delivery of new homes is not delayed in the

short and medium term.

*8.7 In Part A of Policy DM25, is the requirement for all new dwellings to achieve a water efficiency standard of 90 litres/person/day justified and supported by evidence? Should it also apply to changes of use to dwellings?*

No. this is not justified. The current lower standard required by national policy in areas of water stress is 110 l/p/d. While there are circumstances where it might be necessary to go below these standards where this is necessary for the plan to be adopted, such as where water abstraction is impacting on a protected habitat, this is not the case in Chelmsford. While HBF recognise that it is important for homes to become more water efficient this should be achieved through building regulations. HBF would also question how effective such a policy would be given that relies on a fixtures based approach and the Council cannot, for example, prevent a bath from being installed at a later date by the occupier of that property.

*8.8 In Part B of Policy DM25, what is the basis for the specific requirements for Electric Vehicle Charging infrastructure? How do the requirements relate to Building Regulations? Should the requirements for EV charging infrastructure also apply to extensions or changes of use? In the fourth bullet point of Part B, what is meant by 'remaining spaces for residential development'? Is it clearly set out?*

No comment.

*8.9 In Part C of Policy DM25, what is the basis for the requirement for all new non-residential buildings with a floor area in excess of 500sqm to achieve a minimum BREEAM rating of 'Very Good' and at least three credits under Wat 1 of the Water Consumption measure? Have these requirements been fully costed and are they justified?*

No comment

*8.10 Do Strategic Policy S2 and Policy DM18 provide an appropriate framework for dealing with the potential impacts of development on flood risk in all circumstances? Is it justified and consistent with national policy*

No comment*?*

*8.11 Are any other modifications to Strategic Policy S2 or Policies DM18, DM19, DM25 or DM31 needed for soundness?*

No further comment.

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