

## Bath & North East Somerset Council

DECISION MAKER:	<b>Cllr Matt McCabe, Cabinet Member for Built Environment and Sustainable Development</b>	
DECISION DATE:	<b>On or after 20th April 2024</b>	EXECUTIVE FORWARD PLAN REFERENCE: E3527
TITLE:	<b>Sustainable Construction Checklist (SPD) Review and update of Energy Summary Tool 1</b>	
WARD:	All	
<b>AN OPEN PUBLIC ITEM</b>		
<b>List of attachments to this report:</b> Appendix 1 – Sustainable Construction Checklist (SPD) Appendix 2 – Energy Summary Tool 1 (version 2) Appendix 3 – Major Residential Checklist		

### 1 THE ISSUE

- 1.1 Upon its adoption on 19<sup>th</sup> January 2023 the Local Plan Partial Update (LPPU) introduced new policies on sustainable construction for both residential and non-residential new build development. One of these new policies, policy SCR6 sets out the energy use standards that new residential development is required to meet. The Sustainable Construction Checklist Supplementary Planning Document (SPD) sets out the information that applicants are required to submit in order to demonstrate compliance with the energy use standards in the policy.
- 1.2 It is proposed to amend the Sustainable Construction Checklist SPD to enable the Standard Assessment Procedure (SAP) to be used for applications for schemes of up to 25 dwellings (including a maximum of 9 apartments). Currently, SAP can only be used for minor applications of up to 9 dwellings, with the more complicated PHPP (Passive House Planning Package) tool required for schemes of 10 dwellings or more.
- 1.3 Alongside these amendments it is proposed to update Energy Summary Tool 1 (SAP – for certain minor residential development). Energy Summary Tool 1 is a validation requirement for certain minor new build residential development applications. It is proposed to release an updated version of Energy Summary Tool 1 which has been amended to allow for dwellings which have been modelled using SAP to have higher energy efficiency standards which are closer to the energy efficiency standards of dwellings that have been modelled using PHPP. The updated Energy Summary Tool

was developed incorporating feedback from applicants to ensure it is more user-friendly and more widely acceptable.

- 1.4 The proposed amendments will be subject to public consultation.

## **2 RECOMMENDATION**

**The Cabinet Member is asked to;**

- 2.1 Approve the amendments to the Sustainable Construction Checklist SPD
- 2.2 Approve the updated version of Energy Summary Tool 1
- 2.3 Agree that the Head of Planning has delegated authority to make any editorial changes, in consultation with the Cabinet Member for Built Environment and Sustainable Development, prior to consultation on the amendments to the Sustainable Construction Checklist SPD.
- 2.4 Agree that officers are authorised to undertake public consultation on amendments to the Sustainable Construction SPD

## **3 THE REPORT**

- 3.1 The current Sustainable Construction Checklist SPD contains the key assessment criteria and information which should be submitted with applications for new build residential properties, major new non-residential buildings and medium scale development on existing buildings. The SPD was adopted alongside the LPPU to support the Sustainable Construction policies implemented. One of these policies, policy SCR6, sets requirements for Space Heating, Energy Use Intensity and Renewable Energy generation for all residential developments.
- 3.2 To show compliance with the requirements of SCR6 applicants must complete and submit the Energy Summary Tool. The Energy Summary Tool is an aid to ensure building energy performance modelling is accurate and indicates policy compliance. Currently Energy Summary Tool 1 is to be completed for minor applications of up to 9 dwellings, using data produced by SAP and Energy Summary Tool 2 is to be completed for major applications of 10 dwellings or more using data produced by PHPP. SAP is the methodology currently used by the government to assess the energy performance of homes but various post-occupancy studies have indicated that it does not provide realistic predictions of real-world energy performance. PHPP is widely accepted as offering more realistic predictions of energy use and is currently accepted as a means of demonstrating net zero policy compliance.
- 3.3 An updated version of Energy Summary Tool 1 was developed (by Etude) to post-process SAP calculation results to produce more realistic and accurate figures and to indicate compliance with policy SCR6. The updated version has a more sophisticated method for adjusting and correcting SAP values, meaning the tool more effectively accounts for the shortfalls that exist within SAP and adjusts these values, so the outputs are more closely aligned with PHPP values. This updated version offers improvements including: it can be applied to more proposals (up to 25 dwellings, including a maximum of 9 apartments); it is quicker and easier to use and a secondary heating source can be factored in.

- 3.4 The current wording of the SPD has been reviewed and is proposed to be amended to reflect the changes discussed above, allowing applicants to use SAP and the updated version of Energy Summary Tool 1 for schemes of up to 25 dwellings (including 9 apartments). This will reduce the time and costs for applicants but will also provide more realistic indications of the energy performance of the buildings that have been modelled using SAP and will help to achieve more consistent energy efficient dwellings across all sizes of development. It should be noted that amending the SPD as proposed does not alter the space heating, energy use intensity and renewable energy requirements set out in Policy SCR6.
- 3.5 The proposed amendments to the SPD set out in Appendix 1 and the updated Energy Summary Tool, version 2 (see Appendix 2) will be published for public consultation. Consultation will be undertaken for six weeks in accordance with the Council's Statement of Community Involvement.

## **4 STATUTORY CONSIDERATIONS**

- 4.1 SPDs are a Local Development Document under the Planning and Compulsory Purchase Act 2004 and their preparation is regulated, primarily under the Town and Country Planning (Local Planning) (England) Regulations 2012. Regulations 11 to 16 set out the requirements for preparing a SPD. The draft changes to the SPD will be subject to public consultation as required by the 2012 Regulations and in accordance with the Council's Statement of Community Involvement.

## **5 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)**

- 5.1 The preparation of the amendments to the Planning Obligations SPD for consultation and consideration of the issues raised will be undertaken by the Planning Policy Team and the costs covered within the existing salary budget and the Council's LDF budget. The costs of preparing the updated version of Energy Summary Tool 1 by Etude has also been covered within existing budgets.

## **6 RISK MANAGEMENT**

- 6.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision-making risk management guidance.

## **7 EQUALITIES**

- 7.1 Pursuant to the public sector equality duty, the current Equality Impacts Assessment (EqIA) for the Sustainable Construction Checklist SPD has been reviewed and amended.
- 7.2 The technical nature of the document may present some difficulties for some people. However, the information required is included in the Standard Method Procedure which is part of the Building Regulations which will be prepared by a specialist. Therefore, it is not foreseen that the SPD in itself will raise negative equality issues.
- 7.3 When the results of the consultation are considered, the EqIA will be revised and updated in order to address, or mitigate against, any adverse impacts.

## **8 CLIMATE CHANGE**

- 8.1 The overarching purpose of the Sustainable Construction Checklist SPD is to supplement local planning policy, and to help to deliver the core aims of B&NES's Climate Emergency resolution and the council's pledge to become carbon neutral by 20230, by providing applicants with the relevant information and guidance to facilitate sustainable construction. The updated Energy Summary Tool and proposed

amendments to the SPD will help to ensure sustainable development is delivered, across all sizes of residential development and will ensure we meet the needs of local communities now and in the future.

## 9 OTHER OPTIONS CONSIDERED

9.1 None

## 10 CONSULTATION

10.1 Once approved the draft amendments to the Sustainable Construction Checklist SPD will be subject to public consultation. Preparation of the amendments to the SPD and this Report has involved consultation with and has been cleared by the S151 Officer, Monitoring Officer and Cabinet Member for Built Environment and Sustainable Development.

<b>Contact person</b>	Charlotte Smallwood, Climate Policy Officer/Richard Daone, Deputy Head of Planning
<b>Background papers</b>	SAP Conversion Tool Methodology Example SAP Calculation Printout
<b>Please contact the report author if you need to access this report in an alternative format</b>	