

Appendix 4

Sustainable Construction Checklist Supplementary Planning Document (SPD) Update

Consultation Statement August 2024

1. Introduction

- 1.1. This statement sets out the engagement and consultation carried out during the update to the Bath and North East Somerset Council's Sustainable Construction Checklist SPD.
- 1.2. The statement has been prepared in accordance with the Council's Statement of Community Involvement which requires the Council to prepare a statement setting out the main issues identified through the consultation and the Council's response to these issues.

2. Background to the update of the Sustainable Construction Checklist SPD

- 2.1. 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.
- 2.2. 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.
- 2.3. 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.

- 2.4. The current wording of the SPD has been reviewed and 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 the amendments to the SPD do not alter the space heating, energy use intensity and renewable energy requirements set out in Policy SCR6.

3. Formal Consultation on Updated Sustainable Construction Checklist SPD.

- 3.1. The consultation on the SPD ran for 4 weeks between 13th June and 11th July 2024. To increase knowledge and access to the amended SPD consultation, the following were carried out:
 - **Notification mailout** – information about the consultation was issued at the start of the consultation period by email to all those on the Council's mailing list.
 - **Dedicated webpage** – a webpage including all relevant documents and materials relating to the amended SPD and updated Energy Summary Tool 1 was accessible from the Council's website. This webpage set out the policy background and what the amendments could provide to various users. Instructions on how to respond to the consultation and links to the comment form were provided.
 - **Direct contact information** – an email address was provided on mailouts and the webpage, in case any stakeholders wished to ask questions on the amendments proposed.

4. Summary of responses to the Consultation and Council to Key Issues Raised

- 4.1. 6 respondents made comments as a result of the Sustainable Construction Checklist SPD consultation; 2 other statutory organisations responded without comment. A summary of the key issues raised and responses is seen below.

Comments and issues raised by respondents	Council's response
<p>This new tool will make assessments significantly easier and quicker, thus saving clients time and money. Cornwall council has something very similar and it is gratifying to see this coming to B&NES as well.</p>	<p>Support noted.</p>
<p>Supportive of these changes to correct for deficiencies in the SAP 10 calculation methodology to provide a more realistic estimate of a home's heat loss and net energy consumption.</p> <p>We however would like to see:</p> <ol style="list-style-type: none"> 1. the Ventilation Measurement in the Energy Summary tool is described, perhaps with a dropdown choice e.g. 'As designed', 'Blower Door Test', 'Pulse Test', 'Estimated as built' - we are concerned particularly on larger developments that optimistic air permeability values are being submitted by developers, and it is unclear for a group of properties which have been tested and which are estimates, so the values can't be effectively queried when an as-built Discharge of an SCR6 condition is submitted? 2. We wonder whether standing heat losses from heat pump hot water cylinders need further reduction given we suspect it is now more common to set maximum tank hot water temperatures to 45C rather than the 55C stated in the 'Etude SAP conversion tool report'? Lower storage temperatures would reduce internal gains further as cylinder standing losses would be lower. It is now significantly more common for R290 heat pumps to be installed in new builds, which can run a Legionella cycle using the heat pump rather than an immersion, which would increase the heat pump efficiency further 3. We wonder whether the gains from cooking might be further overstated in the Etudes report for new builds because gas hobs where 50% of the hob's output is lost to ventilation are unlikely to be used compared to induction hobs where these losses are much lower? 	<p>Support noted.</p> <ol style="list-style-type: none"> 1. As outlined in the 'Guidance' page of the Energy Summary Tool, the Ventilation Measurement column is to be completed using values from SAP EPC Cost Worksheet for as built dwelling only. Meaning applicants are required to enter the design air permeability used when submitting the Energy Summary Tool for an application. Part L 2021 requires that the air permeability of all new dwellings is measured once construction is complete using a blower door or pulse test. It is assumed if the Energy Summary Tool is completed for a discharge of condition that the air permeability value is from either of these tests and not an estimate. 2. The assumption in the updated Energy Summary Tool that hot water is stored and used at 55°C is based on the settings for the Panasonic J series heat pump that was used for the SAP and PHPP modelling when creating the tool. This is a reduction from the SAP assumption that hot water is stored and used at

	<p>60°C. This comment is noted and will be reviewed as applications are received.</p> <p>3. The comment is noted and this will be reviewed as applications and as-built figures are submitted.</p>
<p>The Parish Council think it is very important that houses are made as energy efficient as possible.</p>	<p>Comment noted. The proposed SPD change does not alter the energy /use standards set in LPPU Policy SCR6.</p>
<p>Broadly in agreement however the requirement on 25 plus developments to input data as per the worksheet for each separate design could be off putting and lead to identical units rather than a mix of units which would be more acceptable particularly on village outskirts.</p>	<p>Comment noted. The requirement for data for each separate dwelling design to be input into the tool is to ensure that each individual dwelling is meeting all of the policy requirements, as site-wide averages are not accepted as a route for compliance.</p>
<p>We welcome reference to Policy SCR5 - Water Efficiency, the incorporation of water efficiency measures into schemes will:</p> <ul style="list-style-type: none"> • contribute to climate change resilience • reduce abstraction pressure on water resources and riverine ecosystems • reduce the pressure on sewage infrastructure and treatment systems • benefit future residents by reducing water bills. <p>Increased water efficiency for all new developments potentially enables more growth with the same water resources. Developers can highlight positive corporate social responsibility messages and the use of technology to help sell their homes. For the homeowner lower water usage also reduces water and energy bills.</p>	<p>Support noted for the reference to Policy SCR5.</p>

We agree that climate change is an important issue and recognise the role that housebuilders have to play in this. We would however question the approach that is being pursued and whether this will deliver the benefits the Council are looking to achieve.

HBF would request that the policy allows developers the opportunity to be able to demonstrate what can fairly and realistically be achieved on any site under the new regime being proposed for the sustainable construction checklist. Each site is unique with its own set of challenges. There may be geographical, topographical or environmental challenges as well as heritage, conservation or listed building constraint (particularly in Bath) where achieving the total energy may be unachievable. Whilst we support the principal of continued building performance improvement, HBF also believe there should be an opportunity for applicants to put forward a case on each occasion to show and demonstrate what can (and possibly can't) be achieved based on circumstances whether that be viability, feasibility, environmental circumstance. Perhaps there are other wider site benefits that should be considered in order to deliver wider or indirect environmental benefits such as water control, water re-use which can reduce indirect energy usage or indeed ecology and biodiversity enhancement which has arguably equal importance in terms of 'environment'.

The space heating demand of less than 30kWh/m²/annum should be a target or 'aspiration' value but not necessarily a figure that is used for scheme to be rejected if it cannot be attained. Total energy use less than 40kWh/m²/annum again should be a target or aspiration figure and not a figure used as a minimum benchmark for approval or refusal. On site renewable energy generation to match the total energy use, with a preference for roof mounted solar PV should also not dismiss other renewable technologies and should not be referenced so rigorously that it stifles innovation and consideration towards other types of technology that are equally as important such as flexible tariffs, battery and thermal storage or indeed new innovation that is not yet available in the marketplace. Finally, connection to a low- or zero-carbon District heating network is not always within the scope or control of a new home builder. Schemes should not be penalised in this regard as these technologies rely on wider industries that are currently not fully understood or regulated against. These

Comments are noted.

The extent of the consultation was only the proposed changes to the Sustainable Construction Checklist Supplementary Planning Document and an update to Energy Summary Tool 1. The consultation did not cover the scope of the existing Policy SCR6 and its requirements.

Each application is considered on a case-by-case basis where the policy is applied flexibly. If applicants outline geographical, topographical or environmental challenges or heritage, conservation, listed building, viability or feasibility constraints as to why they cannot achieve the policy requirements these are considered by the case officer when reviewing the application proposal.

Although there is a preference for roof-mounted solar PV within the policy, other technologies are not dismissed when considering applications.

Applications are not penalised if they cannot connect to a low-or zero-carbon district heating network. It is acknowledged in the Sustainable Construction Checklist Supplementary Planning Document that this option may be unfeasible for some development and the connection should only be carried out where it can be

new emerging technologies will become more common in future years so consideration towards them at the current time would be a more reasonable approach to take.

demonstrated to be a lower carbon solution than an individual heating system.