

LONDON BOROUGH OF RICHMOND UPON THAMES

DATE: 12 DECEMBER 2008

REPORT OF: CABINET MEMBER FOR ENVIRONMENT

LEAD OFFICER: PHILIP WEALTHY, HEAD OF POLICY AND DESIGN

**SUBJECT: SUSTAINABLE CONSTRUCTION CHECKLIST
SUPPLEMENTARY PLANNING DOCUMENT (SPD) – INTERIM
AMENDMENTS**

WARDS: ALL

KEY DECISION?: NO

IF YES, IN FORWARD PLAN?: N/A

For general release

1. PURPOSE OF THE REPORT

- 1.1 This report details, and seeks approval for, interim amendments to the Sustainable Construction Checklist SPD. The interim amendments are proposed in order to bring the document up to date in light of recent changes to national and regional policy, and to reflect the Council's environmental priorities.

EXECUTIVE SUMMARY

- 1.2 This report seeks approval to make the following interim amendments to the Sustainable Construction Checklist SPD:
- Reduce the thresholds to 1 or more homes (currently 5 or more) and to 100 sq m or more commercial development (Currently 1000 sq m).
 - Replace the requirement for new housing to meet the EcoHomes 'Excellent' standard with a requirement to achieve Code for Sustainable Homes Level 3. (Conversions and all commercial and other development will still be required to meet the relevant EcoHomes 'Excellent' or BREEAM standard).
 - Increase the current requirement for 10% on-site renewable energy to 20%, in line with London Plan policy 4A.7, unless it can be demonstrated that such provision is not feasible
- 1.3 The proposed amendments are interim until, subject to the Inspector's agreement the standards are adopted as part of the LDF Core Strategy.

2. RECOMMENDATIONS

2.1 That the Cabinet Member approves the following proposed interim amendments to the Sustainable Construction Checklist SPD and its implementation:

- 1. The threshold of 5 residential units or major commercial developments (DCLG definition), is removed, and the Council will now expect all schemes including 1 or more homes, and commercial or other development of 100 sqm or more, to be subject to the Sustainable Construction Checklist.**
- 2. In the light of the Government's requirements for all new homes to attain a CSH rating, and the need to simplify the process for developers, the requirement for new housing to meet the EcoHomes 'Excellent' standard is replaced by a requirement to achieve CSH Level 3. Conversions and all commercial and other development will be required to meet the relevant EcoHomes 'Excellent' or BREEAM standard.**
- 3. The current requirement for 10% on-site renewable energy is superseded by the London Plan Policy 4A.7 Renewable Energy, which requires that developments will achieve a reduction in carbon dioxide emissions of 20% from on site or decentralised renewable energy generation, unless it can be demonstrated that such provision is not feasible. This will be in addition to the 25% improvement on current Building Regulations through energy efficiency measures that is required to achieve CSH level 3.**
- 4. It is recognised that the requirement for 20% renewables will be difficult to meet in certain schemes. The Council will therefore apply the above measures with some degree of flexibility, where appropriate, and in particular recognise that increases in energy efficiency may offset (or partially offset) the renewables requirements.**

2.2 The proposed amendments are interim until, subject to the Inspector's agreement the standards are adopted as part of the LDF Core Strategy. The onus will be on developers to achieve the required standards or if not practicable or viable to provide justification.

3. DETAILS

3.1 The Sustainable Construction Checklist SPD was adopted on 18th August 2006. The Checklist describes the key principles of sustainable design and construction that the Council expects architects and contractors to follow. Completion of the Checklist is required specifically for schemes for five or more residential units or for major commercial developments (DCLG definition). However, the Council encourages the application of the Checklist principles to all development proposals.

3.2 Since adoption, national and regional policy has been amended and the checklist is no longer up to date with reference to current sustainability assessment standards (i.e. for residential development, it is based on the achievement of the EcoHomes standard, which is now superseded by the Code for Sustainable Homes), or in conformity with regional renewables requirements (i.e. the London plan requirement for a 20% reduction in carbon

dioxide emissions through the use of renewables). This report therefore outlines the interim amendments that are proposed to bring the SPD into line with wider policy, and to enhance the sustainability of development within the borough. The proposed amendments are interim until, subject to the Inspector's agreement, the standards are adopted as part of the LDF Core Strategy. The amendments are supported by research (Evidence Base for Carbon Emissions Reduction Policies) undertaken by CEN (November 2008).

- 3.3 The Code for Sustainable Homes (CSH) is an assessment procedure, made mandatory in May 2008, and all new homes are now required to attain a CSH rating. The Code covers energy, water, materials, surface water run-off, waste, pollution, health and well-being, management and ecology, and awards points for different criteria met in each category. To achieve a particular code level, a dwelling must achieve minimum standards in the energy and water categories, and additional points for other design features must be attained. The table below shows the minimum standards and number of points required in order to achieve code 3 (which is the standard most comparable to the EcoHomes Excellent standard currently required by the Checklist) of the code:

Energy		Water		Other
Standard (minimum % improvement on current Building Regs.)	CSH points awarded	Standard (maximum in litres per person per day)	CSH points awarded	Other CSH points required (incl. for materials, management, waste, etc.)
25	5.8	105	4.5	46.7

- 3.4 As the Code applies to all new homes, it is proposed that the size threshold for development to which the Sustainable Construction Checklist SPD applies will be reduced to encompass all development, with the exception of householder extensions and commercial development under 100 sqm. The assessment standards will however differ depending on the type of development concerned. New housing will be subject to CSH assessment as per national requirements. However, conversions will still be covered by EcoHomes assessment methods and other development, such as commercial, will be subject to the Building Research Establishment Environmental Assessment Method (BREEAM), of which there are a range of versions to cover all building types.
- 3.5 London Plan Policy 4A.7 Renewable Energy, requires that boroughs should adopt a presumption that developments will achieve a reduction in carbon dioxide emissions of 20% from on site renewable energy generation (which can include sources of decentralised renewable energy), unless it can be demonstrated that such provision is not feasible. It is proposed that the Sustainable Construction Checklist SPD is amended from a 10% renewables requirement to a 20% requirement to conform to the London Plan policy in this respect.
- 3.6 As shown in the table above, CSH level 3 requires a 25% improvement on current Building Regulations through energy efficiency measures. It is

proposed that the 20% renewables requirement will be in addition to the CSH figure. It is recognised that these standards are high in order to reflect the aims of the Council, and in particular the requirement for 20% renewables will be difficult to meet in certain schemes. The Council will therefore seek to apply the above measures with some degree of flexibility, for example to enable increases in energy efficiency to offset, or partially offset, the renewables requirement where appropriate.

- 3.7 The Surface Water Flooding Scrutiny Task Group has recently produced a report giving recommendations for action on surface water flooding. Recommendation 25 suggests that the Sustainable Construction Checklist require minimum standards for sustainable drainage and water conservation. This interim policy takes forward Code level 3 which requires stringent water conservation measures and that the run-off rates and annual volumes of run-off post-development will be no greater than the previous conditions for the site. For extra credits, attenuation of run-off of 50-100%, depending on the flood risk level of the location, is required. As well as these measures then Sustainable Construction Checklist SPD, it is felt that this will help to mitigate the surface water impacts of new development, in particular by effectively requiring SUDS where land is to be used more intensively than the previous use of the site.

4. CONSULTATION

- 4.1 The standards have been subject to consultation as part of the LDF process and were not subject to any representations.

5 FINANCIAL IMPLICATIONS

- 5.1 The Code for Sustainable Homes, EcoHomes and the BREEAM standards are subject to external accreditation thus avoiding requiring additional development control resources. However, the validation of the proportion of renewables provided is subject to internal review and further support is being provided through CEN within existing budgets.

6. POLICY IMPLICATIONS/CONSIDERATIONS

- 6.1 The Sustainable Construction Checklist SPD is required to be in conformity with National Policy Guidance, the London Plan and to take into account the Community Plan. The proposed amendments reflect the policies in the Core Strategy Submission document and the Council's priorities.

7. RISK ASSESSMENT

- 7.1 The key risk is that the interim policy will have less weight at an appeal and this will need to be taken into account in planning decisions. It is recognised that a degree of flexibility will be necessary in applying the policy.

8. EQUALITY IMPACT/CONSIDERATIONS

- 8.1 Any equality implications of the proposed amendments are likely to be limited to the additional costs of the measures required. It is considered that these will not add to building costs such as to have any significant impact on affordability; while in the longer-term there will be reduced running costs for

occupiers. However, these potential impacts are recognised and the amendments will be subject to testing at a local level.

9. LEGAL IMPLICATIONS

- 9.1 Pending the LDF Inspector's report the amendments will not have the full weight that can be accorded to adopted policies.

10. ENVIRONMENTAL IMPACT ASSESSMENT

- 10.1 The proposed amendments are intended to enhance the sustainability of development within the borough and, as such, are not considered to conflict with any of the Council's sustainability objectives.

11. BACKGROUND DOCUMENTS:

- 11.1 Sustainable Construction Checklist SPD
Report to Environment & Sustainability Overview and Scrutiny Committee 9th
June 2008
Evidence Base for Carbon Emissions Reduction Policies CEN, 3rd November
2008

12. CONTACTS

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