

Planning Policy Position Statement: Application of adopted planning policies following the Ministerial Statement issued March 25th 2015

Secretary of State for the DCLG, Eric Pickles' written [ministerial statement](#) dated 25th March 2015 referred to a new approach for the setting of technical standards for new housing. It comes as a result of a review launched in 2010 to tackle ministers' concerns over a "pick and mix" approach to the adoption of existing standards.

The Government has introduced a new system which comprises [national technical standards](#) that set higher building standards for **energy, water, access** and **internal space** than required in the current Building Regulations. These optional standards can be implemented by the Local Authority where there is a clearly evidenced need and the impact on viability has been considered.

Planning policies relating to optional **security** standards for new homes, such as door and window locks, will be unnecessary because all new homes will be subject to the new mandatory Building Regulation Approved Document on security ([Part Q](#)). Policies relating to the external design and layout of new development, which aim to reduce crime and disorder, remain unaffected by the ministerial statement.

The **Code for Sustainable Homes** (CfSH) has now been revoked therefore energy and water performance requirements in Building Regulations will be set at a level equivalent to CfSH Level 4. The higher energy and water requirement was considered as part of the Examination of the Development Management policies and found sound by the Planning Inspector.

The Government has stated that it will not require new dwellings to be zero carbon by late 2016 (['Fixing the Foundations'](#) p46). Instead, the Government intends to keep energy efficiency standards under review. The change in policy applies to both the "on site" higher energy efficiency standards and the "off site" zero carbon Allowable Solutions offsetting scheme.

This statement does not modify the National Planning Policy Framework policy allowing the connection of new housing development to low carbon infrastructure such as district heating networks.

Government Guidance and Local Policies	SCDC Policy Requirements from October 1 st 2015	SCDC Policy Requirements from October 1st 2016 (assumed date)*
Code for Sustainable Homes (CfSH) withdrawn, effective April 15th 2015.	N/A Except for legacy cases	N/A Except for legacy cases
Policy DM24 ‘Sustainable Construction’ (CfSH compliance).	CfSH compliance no longer required. Local Plan policy no longer applies.	CfSH compliance no longer required. Local Plan policy no longer applies.
Policy DM24 ‘Sustainable Construction’ (Energy efficiency). <i>[Building Regulations to be updated. These will set out national energy performance standards from late 2016. October 1st assumed date].</i>	Local Plan policy continues to apply (i.e. developments required to achieve 19% reduction of residual carbon emissions after compliance with Building Regulations Part L (2013)).	Local Plan policy no longer applies. Compliance with Building Regulations required.
Policy DM24 ‘Sustainable Construction’ (Water efficiency).	Optional higher Building Regulations standard to be applied (i.e. 110 litres per person per day). <i>[Evidence of need and impact on viability has been considered as part of the Core Strategy & Development Management Policies Examination in Public].</i>	Local Plan policy no longer applies. New Optional higher Building Regulations standard to be applied (i.e. 110 litres per person per day).

Key Points

★ Decision Making from 1 October 2015

Existing Local Plan, Neighbourhood Plan, and supplementary planning document policies relating to **water efficiency, access** and **internal space** should be interpreted by reference to the nearest equivalent new national technical standard. Compliance with the new national technical standards should only be required where there is a relevant current Local Plan policy.

★ Exception - Energy

For the specific issue of energy performance, the Council will continue to be able to set and apply policies in the Local Plan requiring energy performance standards that exceed the requirements of Building Regulations ***until the commencement of amendments to the Planning and Energy Act 2008 in the Deregulation Bill 2015**; assumed date 1st Oct 2016. The Government has stated that, from then, the energy performance requirements in Building Regulations will be set at a level equivalent to the former Code for Sustainable Homes Level 4. Until the amendment is commenced, it is expected Suffolk Coastal District Council will take this statement of the Government's intention into account in applying existing energy policies and that they will not set conditions with requirements above a Code level 4 equivalent.