

# NORTH HERTFORDSHIRE DISTRICT COUNCIL

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Future Homes Consultation,  
Ministry of Housing, Communities &  
Local Government

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By email only

Dear Sir / Madam,

## **Future Homes Standard consultation**

Thank-you for providing the District Council with the opportunity to comment on this matter. North Hertfordshire does not wish to comment on many of the detailed, technical matters contained in the consultation. However, the District Council would like to respond on the interaction between the building regulations proposed to be imposed at a national level and local planning policies.

North Hertfordshire District Council has declared a Climate Change Emergency. The measures proposed by the Government in this consultation are a welcome step towards addressing this matter. However, Councils should not be prevented from achieving reduced carbon emissions from new buildings on an accelerated timetable where this benefits from local support and is considered feasible.

North Hertfordshire is a buoyant housing market. National planning policies already provide clear guidance on how local plans should be tested to ensure proposals are justified and viable. Subject to these tests being satisfied, authorities should remain empowered to pursue locally led policies on this matter. This also enables Councils to make an informed choice where viability (or other) considerations require a balance to be struck between enhanced energy efficiency and other, competing demands such as affordable housing or infrastructure contributions.

In this context, North Hertfordshire objects to proposals to commence the amendment to the Planning and Energy Act 2008. We additionally consider that the current 19% 'ceiling' on energy efficiency measures secured through the planning system (over and above Part L requirements) should be removed.

It is further considered prudent for Councils to retain powers to introduce measures through the planning system should the Government's currently proposed timetables not be achieved for any reason. This would ensure local councils retained the necessary powers to deliver locally led, meaningful reductions in emissions in the event the proposed tightening of building regulations (or any step towards it) is not realised as presently anticipated.

In the above context, the District Council also has particular concerns with the conclusion of the accompanying impact assessment that:

*...the [development industry] system as a whole is sufficiently robust to be able to absorb unanticipated costs [arising from the proposed standards] in other ways. For example, developers have options to renegotiate their Section 106 or make changes to planning permissions to absorb these costs.*

There should be sufficient headroom in the significant majority of cases for developers to accommodate both improved building efficiency and appropriate, locally-tested planning contributions towards affordable housing and infrastructure provision without impacting upon scheme viability. The Government should not be encouraging the development industry to retrospectively chip away at critical infrastructure contributions secured through the planning system.

We trust that these comments will be taken into account in deciding how to proceed on this matter.

Yours sincerely,

Cllr Paul Clark  
Deputy Leader and Executive Member for Planning & Transport