

1 - Policy HOU8: Accessible & Adaptable Homes

Local Plan Regulation 18 text

The purpose of this policy is to ensure that new homes are accessible and can be easily adapted as people's needs change throughout their lifetime.

This policy will increase the amount of homes that are suitable for an aging population, leading to positive impacts on health and well-being, and will increase the supply of decent homes that meet a wider range of needs. Making homes adaptable and accessible from the start will reduce the likelihood of people having to leave their homes as their needs change and allow people to stay within their local communities, fostering mixed and inclusive communities.

9.52 North Norfolk has one of the highest percentage of older people in the country. The population is aging and the trend is accelerating so that by 2036 it is expected that there will be an additional 11,500 residents over the age of 65. Overall the percentage of people aged over 65 will increase from 32% to 39.9% of the District's population in comparison to the England average of 23.4% (69). Significantly the higher age cohorts of over 80 years of age are projected to increase at the fastest rate and will account for up to 14% of the District population by 2036. With peoples housing needs changing over time, homes need to be designed in such a way as to meet those changing needs. A person's age has a direct link with a greater likelihood of mobility issues. Declines in some areas of health, for example, increases in obesity have contributed to an increase in people experiencing mobility issues. There is a historic deficit in accessible and adaptable properties across all tenures in the District with the greatest requirement remaining in the private sector. Given the District's increasing older population structure and high proportion of older, smaller traditional housing stock, it is important that the supply of accessible and adaptable homes is significantly increased. With public health and social care strategies placing more emphasis on supporting people in their own homes rather than in residential care it is important that we ensure that more accessible homes are provided in the District and that adaptations are easier and cheaper to undertake when they are required.

9.53 The National Building Regulations include specific nationally agreed construction standards (the M4(2) standard) which if adopted through this Plan would deliver accessible and adaptable homes. This standard is broadly equivalent to, and replaces the former Lifetime Homes standards, which the Council encouraged in its existing Core Strategy Policy HO1. Homes built to this standard are more flexible and readily adaptable as people's needs change. They are suitable not just for the elderly but also for families with pushchair needs, or those with a temporary or permanent disability or health issue.

9.54 A proportion of new dwellings that accord with Category M4(3) wheelchair adaptability on larger housing developments is also required. It is estimated that the national unmet need for wheelchair adaptable properties is the equivalent of 3.5 per 1,000 households, representing approximately 385 households of the Local Plan housing target of which 186 should be in the affordable sector. (70). Planning Practice Guidance states that M4(3) should only be applied to properties where the LPA is responsible for allocating, or nominating a person to live in that dwelling, (71) i.e the requirement is based on affordable housing provision only. However given the level of need the intention is that the requirement will be applied to all larger housing developments, over 20 units irrespective of tenure. The policy will be applied flexibly with regard to the current evidence at the time of any planning application. For example, taking account of the Council's Strategic Housing Needs Assessment, Housing Register and any other sources of up to date information.

~~9.55 Where the specific requirements of Building Regulations may not be achievable, an element of flexibility is recognised as being required in the delivery of these standards. This may be due to, site specific challenges around topography, flood risk and/or the relationship to design. Where developers demonstrate that the M4(2) or M4(3) requirements are not feasible to be delivered on viability grounds exemptions will be on a case by case basis on the clear evidence submitted at planning application stage, e.g. the topography of the site makes provision as a whole not feasible and impacts development viability significantly.~~

~~9.56 Monitoring of compliance with the standards will be through Building Regulations. Developers are encouraged to demonstrate and include a greater level of water efficiency / water consumption reduction measures as part of their developments. For example specific reference could be made around the use of water efficiency/re-use measures in a proposal – examples of which include water re-use, rainwater harvesting and stormwater harvesting.~~

Updated Reasoned justification

The purpose of this policy is to ensure that new homes are built to accessible and adaptable standards and as such can 1) be easily and cost effectively adapted as people's needs change throughout their lifetime; 2) increase the overall percentage of appropriate housing across all housing types and tenures; 3) address the historical deficiency in supply.

This policy brings positive impacts on health and well-being, and complements the overall approach to adult care provision through planning by increasing the supply of decent homes in order to meet the needs of an aging population, save on future health and social care costs and provide choice and flexibility around the housing options available. Peoples housing needs change as they get older, and homes designed this way from the outset provide safe and convenient approach routes, circulation space and appropriate kitchens, bathrooms, and outside space as well as making them more easily and cheaper to adapt should the need arise in the future, allowing people to stay independent longer and stay in their own homes longer. Making homes adaptable and accessible from the start increases the likelihood of people having to leave their homes for specialist housing as their needs change and allows people to stay local, fostering mixed and inclusive communities.

North Norfolk has one of the highest over 65 populations as a proportion of its total population and a high percentage of home ownership. ONS publications consistently report that this age cohort is the fastest growing age cohort in the District. The Old Age Dependency Ratio, expressed as a proportion of people of state pension age per 1,000 working dependents is projected to be 640 by 2026¹ and is significantly higher than the regional and national averages of 335 and 303. The population is aging and the trend is accelerating. By 2036 it is projected that there will be an additional 11,500 residents over the age of 65, increasing the percentage of people aged over 65 from 32% to 39.9% of the District's population, nearly double the England average of 23.4%.² Significantly the higher age cohorts of over 80 years of age are projected to increase at the fastest rate and will account for up to 14% of the District population by 2036.

The 2011 census shows that around a quarter of districts population reported a long term disability or health condition while approximately a third (30%) of all households were further identified with limiting long term illness and dependent children. The Institute of Public Care research points to a raise in the number of people living with mobility problems and dementia over the Plan period. Within the demographics of North Norfolk this points to a 49% rise in those with limiting long term illness

¹<https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/populationprojections/bulletins/subnationalpopulationprojectionsforengland/2016based>

² ONS Subnational projections 2016- NNDC Optional Technical Standards Topic paper, 2018.

(activity limited a lot) and a 65% rise in dementia. As such the number and proportion of the population that will have to cope with mobility and declining mental health issues is rising significantly.

With public health and social care strategies placing significant emphasis on supporting people in their own homes rather than in residential care it is important that we ensure that more accessible homes are provided in the District and that adaptations are easier and cheaper to undertake when they are required. Unsuitable and unadaptable housing can have negative effects both mentally and physically which can impact on lifestyle, employment opportunities and health. There is a historic deficit in accessible and adaptable properties across all tenures in the District with the greatest requirement remaining in the private sector. Given the District's increasing older population structure and high proportion of older, smaller traditional housing stock, it is important that the supply and overall proportion of accessible and adaptable homes is significantly increased.

The introduction of the category 2 optional standards in relation to accessibility and adaptability are not only justified on the grounds of the District's aging population. Homes that meet these standards are well laid out, flexible to live in, and contain features and measures that benefit everyone, including families, home workers and people with temporary or permanent mobility issues or illnesses. North Norfolk has the highest proportion of those in employment working from home in the East of England at 12.3%, compared to 8.6% East of England average. This coupled with changing expectations, increased homeworking in recent times, a low wage economy and the need to retain and attract working age population, dwellings need to be functional and adaptable across the whole market and assist in the retention and attraction of those of working age.

The Standard broadly equates to the Lifetime Homes standard that was encouraged through previous Core Strategy policy H01, but was withdrawn by the Government following the National Standards Review and the introduction of optional building standards. The introduction of the optional requirement through Plan review is not considered a significant change to ambition or policy.

The policy approach evokes Category M4(3) standards and requires that a proportion of new dwellings on larger housing developments are also required to meet the needs of wheelchair users and allow for the simple adaptation of the dwelling for future wheelchair users.

Evidence established in section 5 of the Local Plan Background Paper no 7 highlights the fact that households whose day-to-day activities are 'limited a lot' through long-term illness or disability is more prevalent for residents housed in the private sector. Nevertheless, current national policy directs the application of optional requirement M4(3) to where the local authority is responsible for nominating a person to live in that dwelling. The evidence estimates a wheelchair accessibility need (current and future) of approximately 10.5% of households in order to meet unmet and future need in an affordable property.

Given the projected large increase in population in the over 65 age cohorts and in particular, the over 85s, coupled with the high levels of home ownership, the identified affordable need is arguably at the lower end of the District need. The intention is that the M4(3) requirement will be applied to all larger housing developments over 20 units irrespective of tenure. The policy could be applied to only the affordable requirement but equally it could be split over the entire development of market and affordable housing. Developers should seek further advice on the most appropriate split according to the latest evidence through pre application enquiries.

The viability of requiring enhanced accessibility or adaptability standards over and above building regulations has been tested in the Local Plan Viability study 2018. The study concludes that there is

sufficient headroom across all areas and development typologies for new development to meet optional technical standards. Affordable housing is confirmed to be able to meet the costs in Local Plan consultation feedback³ and the government's own cost impact study shows that significant proportions of additional costs can be recovered through sales value increases especially when there are perceived extra values in relation to space⁴.

The Councils will only consider exemptions to these requirements where the applicant can provide evidence to robustly demonstrate that it is not practical to achieve given the physical characteristics of the site and in line with the requirements Council's Developer Contribution and viability policy provide a robust, transparent viability assessment that accords with the Council's methodology that the requirement would significantly harm the financial viability of the scheme.

Planning applications are required to include sufficient detail in submitted documentation to allow determination of compliance for each housing type proposed as a **validation requirement**. This should not be left to the interrogation of designs and drawings. A separate statement and or inclusive section in any Design and Access statement is required.

Monitoring of compliance with the standards will be through Building Regulations.

Policy HOU8: Accessible & Adaptable Homes

All new homes must be designed and constructed in a way that enables them to be adapted to meet the changing needs of their occupants over their lifetime **and comply with or exceed the Government's Accessible and Adaptable Standards or successor**. Planning permission will be granted for new dwellings subject to:

- all new dwellings meeting the Building Regulations M4(2) standard: Category 2 – Accessible and Adaptable Dwellings⁵;
- 5% of dwellings on sites of 20 units or more being provided as wheelchair adaptable dwellings in accordance with the Building Regulations M4(3) standard: Category 3⁶.

Exemptions will only be considered where the applicant can robustly demonstrate that compliance: ~~would significantly harm the financial viability of the scheme. All residential proposals should be accompanied by a separate document setting out how proposals (including each dwelling type) accord with each of the standards as detailed in Building Regulations. Where exemptions are sought on practicality or viability grounds, the minimum number of units necessary will be exempted from the requirements.~~

- **is not practical to achieve given the physical characteristics of the site; and**
- **would significantly harm the financial viability of the scheme.**

Where exemptions are sought on practicality or viability grounds, the minimum number of units necessary will be exempted from the requirements.

~~All residential proposals should be accompanied by a separate document setting out how proposals (including each dwelling type) accord with each of the standards as detailed in~~

³ Consultation Statement Schedule of representations (REg18) policy HOU8 consultation feedback,

⁴ No additional sales uplift is applied to the council's Reg 18 viability study

⁵ Or any subsequent national equivalent standard adopted by the council should the Building Regulations and or national policy be reviewed in the future

⁶ Or any subsequent national equivalent standard adopted by the council should the Building Regulations and or national policy be reviewed in the future

~~Building Regulations. Where exemptions are sought on practicality or viability grounds, the minimum number of units necessary will be exempted from the requirements.~~

All development proposals at application stage will set out how proposals, including for each dwelling type, comply with, or exceed the standards in the Design and Access statement or equivalent separate statement.

~~Applicants must submit appropriate supporting evidence of sufficient detail to enable consideration, including a viability appraisal.~~

2 - Policy HOU9: Minimum Space Standards

Updated Reasoned Justification

The purpose of this policy is to ensure that new homes offer a reasonable **minimum** level of residential amenity and quality of life, ensuring that there is sufficient internal space, privacy and storage facilities to ensure long term sustainability and usability of new homes.

The nationally described space standard deals with internal space within new dwellings across all tenures. The standard sets out the minimum requirements for the gross internal floor area of new dwellings at a defined level of occupancy as well as floor area and dimensions for key parts of the home, e.g. bedrooms, storage and floor-to-ceiling height. ~~The standards are optional unless required locally via Plan policies.~~

~~Overall~~ The national space standards are intended to ensure that new homes, **and conversions and dwellings provided through permitted development rights including those that require prior approval** provide a flexible and high quality environment in line with the NPPF, capable of responding to occupants changing needs **and circumstances**. With the population of North Norfolk aging at one of the fastest rates in the country invoking the optional minimum national space standard through the Local Plan is considered important in relation to **meeting identified needs**, long term adaptability, **and sustainability** and in **creating sustainable communities**. Larger floor areas provide the opportunity for easier adaptability due to **changing circumstances such as** impaired mobility **and the requirement for liveable/ work space**, and is a key criterion in relation to how accessible a dwelling is. There is some overlap between the Space Standards and the Accessible and Adaptable standards, but the introduction of the national space standard complements and does not negate the requirement for M4(2) and M4(3) compliance.

~~The provision of sufficient space in dwellings is an important element of good design and influences the take up and delivery of new housing. A lack of space can compromise basic lifestyles needs, such as household space to play, relax, privacy, private work space, and storage of possessions. It can have significant life effects on health, family relationships, educational attainment and social cohesion. The Governments own housing standards review concluded that the UK builds some of the smallest homes in Europe (74) and there has been a downward trend in house sizes across the UK. It is widely reported that the key desirable factors when considering a new home include the provision of adequate space (living and storage) inside and outside the home, along with the proximity to services.~~

Analysis of new homes being built on housing estates across North Norfolk reveals that approximately 58% of dwellings being built do not meet one or more of the minimum national space standards. For Flats this falls to 50%. Sixty-nine percent of the development in North

Norfolk meets the space standards for gross internal space, dropping to 61% for the 1-2 & 3 bed properties i.e 39% do not meet the minimum space standard. In the larger 4+ bedroom dwellings the figure is much higher at 95.3% meeting the standard. The internal configuration of some dwellings with smaller bedrooms, is leading to developments with dwellings that are below the specific requirements of the national standard. Given the population profile, nature of existing housing stock and low levels of new development that currently meet the standards (specifically in relation to one, two and three bedroom properties where there is the greatest need), coupled with the high need for two and three bedroom properties, there is clear justification to require all new properties to at least meet, or exceed, the prescribed minimum national space standards.

In considering this in **proposals**, it is important also to consider that small houses can also contribute to meeting some need. There is the potential for such houses to be more affordable, use less amounts of building material and require less land. In some locations in North Norfolk, it may also be that smaller homes are more consistent with the prevailing historic character of the area. These considerations need to be balanced against the practical benefits of the **minimum** standard size homes with adequate internal space built for modern needs across all tenures **and the prevailing landscape / historic character and in line with associated policies in this Plan**

Planning applications often detail a variety of types of dwellings and information on how a proposal in general, and also each unit type, seeks to meet the new minimum space standards will need to be provided at the planning application stage in a tabulated format for each house design. The submission of such information will form part of the validation process. The new standards will be applied through planning conditions at the time of approval. Compliance will be through planning enforcement.

Planning applications are required to include sufficient detail in submitted documentation to allow determination of compliance for each housing type proposed **as a validation requirement**. This should be in detailed **tabulated form against each technical requirement** and not left to the interrogation of designs and drawings. A separate statement and or inclusive section in any Design and Access statement is ~~supported~~ **required**.

The Government's national space standards as the minimum acceptable space standards ~~should~~ **will** be applied to both open market and affordable housing within North Norfolk.

Policy HOU 9: Minimum Space Standards

All new dwellings **and conversions**, ~~must be designed and constructed in a way that enables them shall to meet~~ **comply with** or exceed the Government's Technical Housing Standards- Nationally described Space Standards, or successor document ⁷

All **residential** development proposals **at application stage** ~~should~~ **will** be accompanied by a separate document ~~setting out~~ **set out** how proposals, including for each dwelling type, accord comply with, **or exceed** the **minimum standards as set out in the technical requirements** ⁸ **in the Design and Access statement or equivalent separate statement** ~~set out below~~. As a minimum this should detail:

- ~~1. the gross internal floor area.~~
- ~~2. the extent of built in storage, sqm.~~
- ~~3. the number of single, twin /double bedrooms with minimum widths.~~

⁷ Or any subsequent national equivalent standard should the Building Regulations and or national policy be reviewed in the future.

⁸ Technical housing standards- Nationally Described Space Standard. DCLG, March as in **appendix XX** to this local plan or successor document.

4. the minimum floor to ceiling height for at least 75% of the gross internal area.

Appendix xx

The following are the current standards which would need to be achieved in order to comply with policy HOU9.

Technical Requirements

- a. the dwelling provides at least the gross internal floor area and built-in storage area (set out in Table 15);
- b. a dwelling with two or more bedspaces has at least one double (or twin) bedroom;
- c. in order to provide one bedspace, a single bedroom has a floor area of at least 7.5m² and is at least 2.15m wide;
- d. in order to provide two bedspaces, a double (or twin bedroom) has a floor area of at least 11.5m²;
- e. one double (or twin bedroom) is at least 2.75m wide and every other double (or twin) bedroom is at least 2.55m wide;
- f. any area with a headroom of less than 1.5m is not counted within the Gross Internal Area unless used solely for storage (if the area under the stairs is to be used for storage, assume a general floor area of 1m² within the Gross Internal Area);
- g. any other area that is used solely for storage and has a headroom of 900-1500mm (such as under eaves) is counted at 50% of its floor area, and any area lower than 900mm is not counted at all;
- h. a built-in wardrobe counts towards the Gross Internal Area and bedroom floor area requirements, but should not reduce the effective width of the room below the minimum widths set out above. The built-in area in excess of 0.72m² in a double bedroom and 0.36m² in a single bedroom counts towards the built-in storage requirement;
- i. the minimum floor to ceiling height is 2.3m for at least 75% of the Gross Internal Area.

Minimum Gross Internal Floor Area & Storage, msq

Number of Bedrooms	Number of bed spaces(persons)	1 story dwellings	2 story dwellings	3 story dwellings	Built in storage
1b	1p	39(37)*			1.0
	2p	50	58		1.5
2b	3p	61	70		2.0
	4p	70	79		
3b	4p	74	84	90	2.5
	5p	86	93	99	
	6p	95	102	108	
4b	5p	90	97	103	3.0
	6p	99	106	112	
	7p	108	115	121	
	8p	117	124	130	
5b	6p	103	110	116	3.5
	7p	112	119	125	
	8p	121	128	134	
6b	7p	116	123	129	4.0
	8p	125	132	138	

3 - HOU10: Water Efficiency

Updated Reasoned Justification

This policy requires developments to meet the higher Building Regulations optional water use standard of 110 litres/person/day, (lpppd), as set out in Building Regulations, Part G2 2016. **or any higher standard subsequently set nationally or locally**

North Norfolk, like many parts of Norfolk and wider East Anglia, experiences low levels of rainfall and is defined by the Environment Agency as an area of water stress. At the same time the District contains internationally important water based environmentally protected sites. Anglian Water ~~River Basin District Management Plan 2015~~ seeks the continuation of demand management and water efficiency techniques through Local Plan policies requiring new homes to meet **or exceed** the tighter water efficiency standard of 110 litres per person per day as described the current Building Regulations.

In an area of serious water stress, incorporating water demand management into **dwelling development** from the start promotes water efficiency and resilience, along with the protection of water quality and protection of areas of environmental importance within and adjacent to North Norfolk.

For non-residential development and in line with the local and national drive for good progressive water management sustainable water use and operation of buildings is required through compliance with BBREEAM “Very Good” water efficient standard.

Water reuse and recycling and rainwater and storm water harvesting and other suitable measures should be incorporated wherever feasible to reduce demand on mains water supply. Projects are expected to aspire beyond these ratings where possible to do so. Applications should include sufficient detail as to intended standard and set out the measures to be incorporated to enable compliance.

~~9.65 All new homes have to meet the mandatory national Standard set out in **Part G2** Building Regulations of 125 litres per person per day. The NPPF states that Local Planning Authorities should adopt proactive strategies to mitigate and adapt to climate change, including taking account of water supply. Policies should support appropriate measures to ensure the future resilience of communities and infrastructure to climate change impacts. The Planning Practice Guidance states that, where there is a clear local need, local planning authorities can set out Local Plan policies requiring new dwellings to meet the tighter Building Regulations optional requirement of 110 litres/person/day.~~

~~9.66 North Norfolk, like many parts of Norfolk and wider East Anglia, experiences low levels of rainfall and is defined by the Environment Agency as an area of water stress. At the same time the District contains internationally important water based environmentally protected sites. The Anglian River Basin District Management Plan 2015 seeks the continuation of demand management and water efficiency techniques through Local Plan policies requiring new homes to meet the tighter water efficiency standard of 110 litres per person per day as described the Building Regulations.~~

~~9.67 The Norfolk Authorities, in conjunction with Natural England, Environment Agency and Anglian Water, recognises that Plans should contribute to long term water resilience. Through the Norfolk Strategic Planning Framework and Duty to Cooperate process there is an agreement to seek to introduce the optional higher water efficiency standards across all authorities in the County. In~~

parallel, Anglian Water are introducing a number of water efficiency incentives(76) for housebuilders and are offering a financial incentive to developers in order to build more sustainable homes including a reduction in the standard fixed element of the Zonal Charge per plot where homes are built to a water efficiency standard of 100 lpppd.

9.68 Viability of development is not affected by water efficiency requirements. The cost per dwelling of implementing the higher Building Regulations water efficiency standard of 110 lpppd and BREEAM is marginal, with the Governments own assessment putting the cost at around £10 per dwelling and BREEAM compliance between 0.1 and 0.2%. The draft North Norfolk Viability Assessment has shown that such a low additional cost will have no impact on development viability.

9.69 Compliance will be required through **planning condition** and the Building Regulations process for residential and condition for BREEAM certification for non-residential.

Policy HOU 10:Water Efficiency

All new development must be designed and constructed in a way that minimises its impact on water resources.

- All new dwellings, including building conversions, must be designed and constructed in a way that enables them to meet or exceed **the Government's Building Regulations Part G, amended 2016 water efficiency higher optional standard requirement of 110 litres water use per person per day(77), or any higher standard subsequently established nationally or locally.**
- **Non-housing development will meet the BREEAM "Very Good" water efficiency standard, or equivalent successor.**

Projects are expected to aspire beyond these ratings where possible to do so. Applications should include sufficient detail as to intended standard and set out the measures to be incorporated to enable compliance.

4 - Policy HOU11: Policy HOU11 - Sustainable Construction, Energy Efficiency & Carbon Reduction

LP text (Regulation 18)

The purpose of this policy is to promote a proactive strategy to mitigate and adapt to climate change and to move towards a low carbon future in building construction.

9.70 This policy sets out the strategic approach by which the Council will support the achievement of progressively increased standards of sustainability (including reduced carbon footprint for new development required by national planning and energy policy), through the granting of planning permission.

9.71 The importance of good design and the Government's intent to move towards a low carbon economy is clearly detailed in Section 14 of the NPPF and the Government's Clean Growth Strategy. The UK is a signatory to the United Nations Framework Convention on Climate Change (UNFCCC), Paris Agreement (2016) and through this and the Climate Change Act 2008, the UK is committed to reduce greenhouse gas emissions by 57%, compared to 1990 levels by 2032, and at least 80% by 2050. A 36% reduction in UK emissions is required from 2016 to 2030, with approximately a 20% cut in emissions (89 MtCO₂e) required from the buildings sector as a whole.

9.72 Providing sustainable development and meeting the accommodation needs of existing and future residents is a key aim of the Council, with strategic objectives seeking to; encourage high quality, sustainable, and climate change resilient design which makes the best use of improvements in technology; minimise the demand for resources and mitigating the impacts arising from climate change.

9.73 The NPPF states that the planning system should support the transition to a low carbon future and when setting local requirements for a building's sustainability, Local Authorities should do so in a way consistent with the Government's nationally prescribed standards. There is not a national technical standard for carbon reduction in the same way that there are technical standards for space, water and accessibility. However Section 19 of the Planning and Compulsory Purchase Act (2004), Section 182 of the Planning Act (2008), the Planning and Energy Act (2008), and Section 14 of the NPPF puts a positive emphasis and a legal duty on local planning authorities to introduce policies which reduce carbon emissions from new homes. Page 188 of the Government's Clean Growth Strategy specifically highlights the role of LPA's:

Moving to a productive low carbon economy cannot be achieved by central government alone; it is a shared responsibility across the country. Local areas are best placed to drive emission reductions through their unique position of managing policy on land, buildings, water, waste and transport. They can embed low carbon measures in strategic plans across areas such as health and social care, transport, and housing.

Under the 2008 Planning and Energy Act LPAs may require development in their area to comply with energy efficiency standards that exceed the energy requirements of Building Regulations. In accordance with the provisions of the March 2015 Ministerial Statement, WMS, the Council will expect new build residential development to achieve a 19% improvement in energy efficiency over the 2013 Target Emission Rate. This is equivalent to meeting the energy requirements of level 4 of the withdrawn Code for Sustainable Homes as detailed in the WMS.

9.75 The policy approach is based on a recognised national code and provides some flexibility in circumstances where it can be demonstrated that achieving the required standard for the type and scale of development in question would either be not feasible or not viable in the light of such considerations as site constraints, other planning requirements, other development costs, and the prevailing market conditions at the time. In such circumstances, the Council may agree to lower energy efficiency standards being achieved, having regard to other merits of the scheme in terms of sustainability and urban design. Development will still need to meet the requirements of the Building Regulations in force at the time.

9.76 Information on how a proposal seeks to meet the new standards will need to be provided upfront at the planning application stage through a sustainability statement. The submission will form part of the validation process. The new standards will be applied through planning conditions applied through planning conditions attached to any permission granted.

9.77 Developments should follow the principles of design set out in the energy hierarchy by prioritising the requirement to eliminate energy need through measures such as design and scheme layout, the use of thermally efficient construction methods and materials and make optimal use of passive heating and cooling systems. Step 2 would be to minimise energy usage by incorporating energy efficient systems, equipment and appliances. Step 3—supply energy from renewable and low carbon sources and as a final step remaining emissions could be offset.

Updated Reasoned Justification

The purpose of this policy is to promote a proactive strategy to mitigate and adapt to climate change through moving towards a low carbon future in building construction.

The Governments' Clean Growth Strategy 2017 specifically highlights the role of Local Planning Authorities through local leadership in moving to a productive low carbon economy. The NPPF along with the section 182 of the Planning Act 2008, the Planning and Energy Act 2008 puts a positive emphasis and a legal duty on local authorities to include policies on climate change mitigation and adaptation in Development Plan Documents. The Climate Change Act passed in 2008 committed the UK to reducing greenhouse gas emissions by at least 80% by 2050 when compared to 1990 levels. **In 2019 The Government introduced a legally binding**⁹ target to reduce greenhouse gas emissions to net zero by 2050 – making the UK the first major economy in the world to legislate a zero net emissions target. The Governments publication of its response to the Future Homes Standard¹⁰ reinforces its intent on moving to a carbon zero (ready) environment and clearly sets out the direction of travel for the development industry and the importance of minimum energy efficiency standards for buildings in order to archive the decarbonisation of buildings and achieve the net zero target.

Local authorities are required to adopt proactive strategies to reduce consumption of fossil fuel, mitigate climate changes and adapt to its effect. The design and construction of buildings can directly affect the environment in terms of energy use and subsequent generation of greenhouse gases, as well as natural resources. The policy measures to reduce the consumption of energy and natural resources is aligned to the direction of travel of national policy through the use of a progressive fabric first approach alongside the use of low carbon heating systems and low carbon technology.

The ambition of the approach is that energy efficient, low carbon homes will become the norm in new build developments in North Norfolk. By making our new homes and other buildings more energy efficient and embracing smart and low carbon technologies, we can improve the energy efficiency of peoples' homes, potentially boost economic growth, help in the reduction of carbon emissions and be more cost effective in long term management and day to day running costs in the housing sector.

The Council expects all new developments to apply the energy hierarchy by reducing the need for energy, use energy efficiently, supply energy efficiently and use low and zero carbon technologies and natural resources and go beyond current building regulations. Developers are free to vary specifications to meet the policy target through fabric improvements, design and or technology provided the overall carbon reduction is achieved or bettered. A **Compliance Statement** is required **as a validation requirement** setting out the level of reduction in carbon and how the proposal will achieve the energy performance and carbon reduction in relation to the Target Emission Rate of the 2013 Edition of the 2010 Building Regulations (Part L) (amended 2016)

In line with national and local drive for progressive energy efficiency the policy ambition is to drive sustainability standards across all types of development and as such, in line with the promotion of assessment framework and design review tools promoted through para 129 of the NPPF the policy approach is to utilise BREEAM very good standard for non-residential development.

BREEAM is an environmental assessment method that assesses the environmental performance

⁹ <https://www.gov.uk/government/news/uk-becomes-first-major-economy-to-pass-net-zero-emissions-law>

¹⁰ <https://www.gov.uk/government/consultations/the-future-homes-standard-changes-to-part-l-and-part-f-of-the-building-regulations-for-new-dwellings> January 2021

of non-residential buildings across ten categories with minimum standards being required in key areas such as energy, water and waste. The 500sqm threshold is intended to avoid imposing the requirement on modest structures.

The NPPF requires a positive approach to promoting energy efficiency and in doing so the Policy approach lays the foundations for the Governments Future Homes Standards currently anticipated to be introduced in a progressive way between 2022 and 2025. The Standard is expected to set out measures and time scales to achieve further reductions in carbon of between 75-80%. This would typically mean that a new home built to the Future Homes Standard would have a heat pump, a waste water heat recovery system, triple glazing and minimum standards for walls, floors and roofs that significantly limit any heat loss set through building regulation and outside the planning framework. The Government has indicate that it is intending to consult on the full technical details and building regulation requirements in 2023.

As such it is acknowledged that the policy approach will be potentially replaced once building regulations are strengthen and in place through the Future Homes Standard. In setting an incremental policy requirement for carbon reduction now, the approach recognises that the drive to zero carbon, environmental and social improvements should start as soon as practical and over time but at a level where the base line requirements are technically possible, available, and economically viable.

In promoting energy efficiency the policy is aiding the creation of the step change required in construction technics and energy efficiency of dwellings ahead of the governments intended Future Homes Standard legislation and is in line with the wider Council ambition. It signals that promoters and developers in North Norfolk need to invest in supply chains, upskill, update designs and incorporate mitigation and adaptation measures and technology in order to support the delivery of the lowest levels of carbon emissions in order to start to reduce the future proportion of emissions from the building sector and decarbonise new dwelling across North Norfolk from the start of the Local Plan.

Compliance will be required through planning conditions including BREEAM certification for non-residential ([Link to design policy](#))

Technology and national policy is changing rapidly in this area and the approach will be supported by Supplementary Planning Guidance and if required further implementation note.

Policy HOU 11: Sustainable Construction, Energy Efficiency & Carbon Reduction

New development is required to achieve a high standard of environmental sustainability.

1. New build residential development ~~should~~**will** achieve reductions in CO2 emissions of a **minimum 31%** ~~19%~~ below the Target Emission Rate of the 2013 Edition Building Regulation, **(amended 2016)** ~~of the 2010 Building Regulations (Part L)~~ unless superseded by national policy or legislation; This should be achieved through:
 - a. the implementation of the energy hierarchy; prioritising the use of design and energy efficient measures followed by the provision of appropriate renewable and low carbon energy technologies ~~and where it can clearly be shown that this is not possible, offsite offsetting measures;~~

b. incorporation of measures to maximise opportunities for solar gain through building orientation, to maximise natural ventilation, use of green roofs, ~~and~~ natural shading, **and other appropriate measures.**

c. the use of locally sourced natural resources

2. All development proposals should be accompanied by a separate **compliance statement Sustainability Statement** setting out how the proposals will seek to:

~~a. address climate change mitigation and adaption;~~

~~b. deliver the lowest level of carbon emissions (direct and embodied);~~

~~c. take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption;~~

a. the approach taken to address energy efficiency within the design and technical specification of the proposed development;

b. comparative energy performance and carbon emission rates of the proposal in relation to the benchmarked TER.

The above standards should be achieved as a minimum unless, it can be clearly demonstrated that this is either not technically feasible or ~~not~~ viable.

Proposals for non-residential development will be supported to achieve a minimum of ~~Breem~~ **BREEAM Very Good** Standard or equivalent.