

Facts often misunderstood regarding high standards of sustainable building design

2010 Part L Building Regulations v 2010 Code for Sustainable Homes level 3

- Building Regs is a baseline and in itself does not address the range of resource efficiency issues required in Brighton & Hove's Local Plan Policy SU2.
- Building Regs Part L addresses some aspects of the energy section of Code level 3.
- The remaining parts of the Code are not covered by current Building Regs.
- Building Regs Part L requirements remain lower than Code level 3 energy requirements even with the 2010 Part L update.

The Adopted Policy

- Adopted Local Plan Policy SU2 states that 'planning permission will be granted for proposals which demonstrate a high standard of efficiency in the use of energy, water and materials'.
- Guidance on what constitutes a 'high standard' of resource efficiency has been issued by Brighton & Hove since 2004.
- Adopted Supplementary Planning Document (SPD) 08 Sustainable Building Design is the current guidance which explains how to comply with Adopted Policy SU2.
- SPD08 sets out recommended standards by development type and size as well as criteria for assessing instances when achieving such standards may not be possible.
- Applicants seeking a reduced standard are asked to provide reasonable justification as part of the application. This is a critical element of delivering the high standard required in Policy SU2.
- The need for planning applicants to provide consistent, relevant information across a planning application is extremely important to reassure the LPA that the target standard can be met.
- Adopted Brighton & Hove Sustainability Checklist, which forms part of the SPD, is one way in which applicants can address relevant issues. However, information provided is at times inaccurate and/or incomplete.
- Modelling of energy related information provided in the Checklist has, at times, indicated failure to pass Building Regs Part L. In these instances, it is reasonable for the local planning authority to grant planning permission if it is confident improvements could be made in order to achieve recommended standards at the detailed design stage **which would not result in a different planning application**.
- If, however, the information contained in the application is impossible it is difficult for the local planning authority to know that Policy SU2 has been properly addressed.
- As a matter of fact, monitoring of planning applications reveals high levels of compliance with recommended SPD08 standards. It also reveals that reduced levels are accepted where appropriate justification has been provided.
- The detail design stage is critical to delivering target standards. A development that is shown to fail at this stage is unlikely to do so at the post-construction stage. In order to make sure problems are flagged up early and to minimise the risk of enforcement, the local planning authority uses a two-tier system of model conditions requiring independent certification at design (pre-commencement) and post-construction stages.
- This approach is particularly relevant in instances when a reduced standard has been accepted.

Code levels 3, 4 and 5

- A resource efficient building as required by Policy SU2 is one that delivers an efficient building fabric in the first instance.
- Ongoing research undertaken by the BRE and housing developers suggest Code levels 3 and 4 can be achieved without the need to incorporate low and zero carbon technologies.
- In most cases, changing specifications for a new build development can lead to a move from Code level 3 to 4 without incurring significant changes in design.

- The move from Code level 4 to 5 is more challenging, requiring a different design approach.
- early incorporation of resource efficiency considerations into the design approach.
- Code level 5 and 6 homes need not be of a radical, unusual design (see examples below), but do need considerable design expertise and commitment from the onset of the development process.

Code level 5 and Greenfield sites

- In June 2010, the Government introduced changes to Planning Policy Statement (PPS) 3 Housing, removing Garden Land from the Definition of Previously Developed Land and granting private residential garden land 'Greenfield' status.
- In a report entitled *Garden developments: understanding the issues - An investigation into residential development on gardens in England* (Jan 2010), Communities and Local Government (CLG) outlines some of the concerns underlying this move. It states that: *'Environmentally, garden development can result in a loss of green space and soil sealing/paving over gardens; ultimately leading to loss of habitats and biodiversity and increased risk of flash flooding due to increased run off. (parag. 1.1.2)'*
- In Brighton & Hove, residential developments in Greenfield sites are recommended to achieve Code level 5.
- The concerns raised in the *Garden developments* document are addressed in SPD08. However, additional reasons for asking more of developments in Greenfield sites include:
 - making sure that CO2 emissions added to the city's current levels are kept to a minimum, particular in sites where no emissions were previously registered;
 - development that is less likely to incur costs from demolition, site clearance and land contamination works often associated with Brownfield.



Development: **Mid Street, South Nutfield, Surrey**
 Developer: Osborne Homes
 Architect: Harrington Design + Bloomfield
Code Level: 5



Development: **Brookwood Farm, Woking**
 Developer: William Lacey
 Architect: Richard Bell
Code Level: 5



Development: **The Old Apple Store, Stawell, Somerset Levels**
 Developer: Pippin Properties
 Architect: Malcolm McAll
Code Level: 5



Development: Lloyd Close, Hove
 Architect: Koru Architects
Code Level: 5 in energy (high level 4 overall)



Development: **Stewart Milne Sigma Home BRE Innovation Park, Watford**
 Developer: Stewart Milne Sigma
Code Level: 5



Development: **Miller Zero, Merton Rise, Basingstoke**
 Developer: Miller Homes
 Architect: Fraser Brown MacKenna / Miller Homes
Code Levels: 1, 3, 4, 5, 6 indistinguishable in design



Development: **The Lighthouse BRE Innovation Park, Watford**
 Developer: Kingspan
 Architect: Sheppard Robson
Code Level: 6



Development: **One Earth Homes, Upton, Northampton**
 Developer: Metropolitan Housing Partnership
 Architect: Bill Dunster / Zed Factory
Code Level: 6