

## **Response to the Consultation on revision of Planning Policy Statement 1 Supplement and PPS 22**

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Submitted on behalf of the Chartered Institution of Building Services Engineers

CIBSE is the learned and professional body for building services engineers, with a global membership of around 20,000. The Institution, a registered charity, exists to 'support the Science, Art and Practice of building services engineering, by providing our members and the public with first class information and education services and promoting the spirit of fellowship which guides our work.'

CIBSE is the standard setter and authority on building services engineering in the UK. It publishes the CIBSE Guide, Codes and other guidance material which are internationally recognised as authoritative, and sets the criteria for best practice in the profession. CIBSE is particularly active in the development of advice, guidance and good practice relating to the implementation of the Building Regulations, most particularly Parts F, G, J and L, dealing with conservation of fuel and power. CIBSE publishes extensive guidance to the Regulations and also publishes second tier documents which are cited in Part L.

Buildings account for almost 50% of carbon emissions. Whilst building services systems which heat, cool, ventilate and power everything within the building are responsible for the bulk of these emissions, innovative services design can dramatically improve their energy efficiency. Our members continue to design and create the most environmentally friendly systems in many major projects across the globe. In so doing they routinely have to balance the requirements of the building regulations with those of planning. It is our observation that the tensions and conflicts between the planning and building regulations requirements are, if anything, increasing.

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Questions on which we would particularly like your views:

Please state whether you agree to your response being made public. Yes

(it is our recent experience that the FOI Act renders this question pointless, as even if you wish your response to be confidential, you cannot insist. A disclaimer that this is a de facto public document would be more appropriate than a question which implies something that cannot be delivered).

1. Do you support the consolidation and streamlining of the PPS1 supplement and PPS22 on renewable energy into a single planning policy statement?

**Yes**

Comment: Paragraph 9 sets out a vision of the draft PPS as *"[setting] out how planning, in providing for the new homes, jobs and infrastructure needed by communities, should help shape places to achieve lower carbon emissions and greater resilience to the impacts on climate change. The planning system sets out the overall framework for development. This should help secure progress against the UK's emissions targets, both by direct influence on energy use and emissions through, for instance,*

*encouraging energy efficiency, and through bringing together and encouraging actions from others. Planning should give local communities real opportunities to take action on climate change and should be doing so now.”*

This vision of an integrated approach to emissions reduction which is achieved through energy efficiency as well as low carbon energy generation is consistent with the overall vision of a more sustainable built environment. Sadly, it is one of the few mentions of energy efficiency in the document, which rapidly develops into a statement about renewable energy far more than anything else. This is unfortunate, unbalanced, and will promote perverse outcomes.

Pound for pound we will achieve greater carbon savings from energy efficiency measures than from renewable. We need to avoid a scenario in which renewable are considered ahead of simple, cost effective energy efficiency measures.

2. Does the proposed PPS address sufficiently all the issues that planners face in relation to climate change? If not, what is missing and why?

**No**

Comment: See previous answer.

3. Do you agree that this proposed PPS should continue to be a supplement to PPS1?

**No**

Comment: Delivering Sustainable Development is a very high level strategic matter. Planning for a Low Carbon Future in a Changing Climate appears, on the face of it, to merit a PPS itself. Perhaps PPS1 Supplement and PPS22 should be combined in a revised PPS22?

4. We propose that regional strategies should set ambitious targets for renewable energy and that targets should be expressed as a minimum amount of installed capacity in Megawatts (MW). Do you agree with how this target is described and that the assessment supporting the target should, where feasible, be consistent with the methodology provided by Department of Energy and Climate Change (DECC)?

**No**

Comment: This is a very command approach to the delivery of renewable. It is also very unclear how this approach can be implemented if the regional agencies in England are to be scaled back and to focus on business issues. It is impossible to offer constructive comment when the high level policy relating to RDAs is currently unclear.

(In passing, this demonstrates the dangers of issuing consultations in the run up to a general election. Whilst it is to be hoped that some of the work that has gone into the response will not be wasted, it is a concern that some of the effort devoted to this will be abortive. This is not within the spirit of the cabinet office guidelines on consultation, although it is accepted that this is not the responsibility of the current administration or civil servants.)

5. We propose that local planning authorities should assess opportunities for decentralised energy in their area. Are these requirements sufficiently clear and manageable?

**No**

Comment: CIBSE does not believe that LCF4 is clear and explicit. We do not think it sets out the requirements in an unambiguous manner.

6. We propose that sites that perform poorly against the criteria in policy LCF6.1 should not be allocated for development (with limited exceptions). Do you agree with this suggested approach?

**Yes**

7. We propose in LCF7 the approach for local authorities when setting local requirements for using decentralised energy in new development. We also propose, in LCF8, that, as an interim measure until the coming into force of the 2013 revisions, the Secretary of State will support the application of authority-wide targets where these are included in the development plan. Do you agree with this approach?

**Yes**

Comment: But it needs to be implemented quickly to be worthwhile.

8. Do you agree with the approach to setting requirements for sustainable buildings including in water stressed areas?

**No**

Comment: We believe that this question refers primarily to LCF9, although it makes no mention of water stress. LCF2.1 iii does make reference to “*areas of water stress*” and suggest that “*so as to secure development that would otherwise be unacceptable for its proposed location, resilience should be provided by setting sub-regional standards for water usage in new development.*”

CIBSE believes that both LCF 2.1 iii and LCF 9 are potentially fundamentally flawed. Both raise the prospect of planning rules conflicting with building regulations. Part G of the Building Regulations already address water usage. Any “sub-regional standards” for water usage would therefore have the potential to override Part G. This sets a precedent for the devolution of building regulations which the industry would find costly and burdensome, and which is at odds with the policy of having a single building regulations regime across the whole of England. Technical requirements for buildings should be set with due regard to the whole range of technical issues by the Building Regulations.

9. We propose that local planning authorities should support the takeup of electric vehicles, including being able to set local requirements for installing cabling or charging infrastructure for electric vehicles in new developments with parking facilities. Do you agree with the proposed approach?

**In principle, Yes**

Comment: There is considerable detail to be addressed to deliver this policy objective. There may well be building regulatory issues, electrical safety issues, and again this statement has the potential to conflict with the Building Regulations.

10. Proposals for major new development that do not comply with the criteria set out in proposed policy LCF13 should normally be refused planning permission. Do you agree with this proposed approach?

**Yes**

11. We have set out a positive framework for renewable and low carbon energy, including the factors in proposed policy LCF14, that should be taken into account in determining planning applications. Do you agree with these and are they sufficiently clear?

**No**

Comment: This is another area where the policy omits to consider energy efficiency. We need to be careful that we do not favour buildings which meet the minimum energy efficiency standards of the building regulations, but then install considerable amounts of renewable or low carbon technology, driven by ambitious planning targets. This is not a rational outcome. It is far more cost effective to focus on passive design measures (form, orientation, mass, ventilation and daylighting) and on energy efficiency first. Once these have been fully addressed, then it may be appropriate to consider renewables. But it is far more economic to invest in efficiency and demand reduction than in renewable, in general. We should not develop planning policies that drive uneconomic energy generation installations.

12. Do you agree with the conclusions of the consultation stage Impact Assessment? In particular, have we correctly identified any additional burdens for local planning authorities? Is the impact on owners/developers correctly identified and proportionate to their responsibilities?

**Yes**

Comment: It is, as long as the planning authority has sufficient expertise and technical knowledge.

CIBSE has knowledge of several schemes where the planners have lacked the technical expertise to understand very low carbon retrofitting projects. In one case this led to the refusal of permission to install triple glazing, which rendered it technically impossible to achieve the 80% carbon reduction target the owners had set, and were prepared to invest to achieve.

In the case of our own HQ building in Balham, not noted as an area of outstanding architectural merit, our own retrofit to reduce our HQ emissions by 60% was held up for some nine months by planning considerations over replacement glazing.

In another case a CIBSE member faces the rather galling situation of being repeatedly refused planning permission to install PV to deliver all his domestic electricity needs and go "zero carbon", whilst at the same time seeing the same local authority making claims about a municipal development being low carbon when he believes that there is evidence to suggest otherwise.

These cases, whilst to a greater or lesser extent anecdotal, demonstrate the need for the planning profession to be given training to enable them to implement the proposed policies effectively.

13. Do you think that the proposals in this proposed PPS will have different impact, either positive or negative, on people, because of their gender, race or disability? If so, how in your view should we respond? We particularly welcome the views of organisations and individuals with specific expertise in these areas.

**No.**