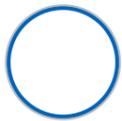


Planning - Local Energy Efficiency Standards Update

Statement made on 13 December 2023

Statement UIN HCWS123

Statement made by



Lee Rowley

Minister of State for Housing

Conservative

North East Derbyshire

Commons



Statement

My Noble Friend the Parliamentary Under Secretary of State (Baroness Penn) has made the following Written Ministerial Statement:

As a Government, we continue to make progress towards the net zero goal set out in legislation in 2019, including by improving the energy efficiency of homes and moving to cleaner technologies and sources of power within the homes and building sector.

There has been a long-standing debate within planning about both the best method and body to set energy efficiency and environmental standards. For a number of years, the plans of some local authorities have sought to go further than national standards in terms of such efficiency for new-build properties. Equally, there is a legitimate consideration for the Government to want to strike the best balance between making progress on improving the efficiency and performance of homes whilst still wanting to ensure housing is built in sufficient numbers to support those who wish to own or rent their own home.

In 2015, in reference to an uncommenced provision in the Deregulation Act 2015 which amended the Planning and Energy Act 2008, a written ministerial statement (WMS) (HC Deb, 25 March 2015, vol 584, cols 131-138WS) stated that until that amendment was commenced, local plan policies exceeding minimum energy efficiency standards should not go beyond level 4 of the Code for Sustainable Homes. Since then, the introduction of the 2021 Part L uplift to the Building Regulations set national minimum energy efficiency standards that are higher than those referenced in the 2015 WMS rendering it effectively moot. A further change to energy efficiency building regulations is planned for 2025 meaning that homes built to that standard will be net zero ready and should need no significant work to ensure that they have zero carbon emissions as the grid continues to decarbonise. Compared to varied local standards, these nationally applied standards provide much-needed clarity and consistency for businesses, large and small, to invest and prepare to build net-zero ready homes.

The improvement in standards already in force, alongside the ones which are due in 2025, demonstrates the Government's commitment to ensuring new properties have a much lower impact on the environment in the future. In this context, the Government does not expect plan-makers to set local energy efficiency standards for buildings that go beyond current or planned buildings regulations. The proliferation of multiple, local standards by local authority area can add further costs to building new homes by adding complexity and undermining economies of scale. Any planning policies that propose local energy efficiency standards for buildings that go beyond current or planned buildings regulation should be rejected at examination if they do not have a well-reasoned and robustly costed rationale that ensures:

- That development remains viable, and the impact on housing supply and affordability is considered in accordance with the National Planning Policy Framework.

- The additional requirement is expressed as a percentage uplift of a dwelling’s Target Emissions Rate (TER) calculated using a specified version of the Standard Assessment Procedure (SAP).

Where plan policies go beyond current or planned building regulations, those policies should be applied flexibly to decisions on planning applications and appeals where the applicant can demonstrate that meeting the higher standards is not technically feasible, in relation to the availability of appropriate local energy infrastructure (for example adequate existing and planned grid connections) and access to adequate supply chains.

To be sound, local plans must be consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in the National Planning Policy Framework and other statements of national planning policy, including this one.

The Secretary of State will closely monitor the implementation of the policy set out in this WMS and has intervention powers provided by Parliament that may be used in respect to policies in plans or development management decisions, in line with the relevant criteria for such intervention powers.

The above supersedes the section of the 25 March 2015 WMS entitled ‘Housing standards: streamlining the system’, sub-paragraph ‘Plan making’ in respect of energy efficiency requirements and standards only. Planning Practice Guidance will also be updated to reflect this statement.

Statement from

Department for Levelling Up, Housing and Communities



Linked statements

This statement has also been made in the House of Lords

Department for Levelling Up, Housing and Communities



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[Baroness Penn](#)

Parliamentary Under Secretary of State for Levelling Up, Housing and Communities

Conservative, Life peer

Statement made 13 December 2023

HLWS120

Lords