

Planning and Policy Context

In this section

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- 1 / Relevant national policy
- 2 / Emerging or upcoming national policy
- 3 / Relevant local policy
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Executive summary

> The National Planning Policy Framework (NPPF) presumes a favourability for sustainable projects. That includes minimising waste, projects that move towards a low carbon economy and that use natural resources carefully. Local requirements for sustainability need to be consistent with national standards.

> There are several key pieces of policy that will have a big impact on sustainability in construction going forward. Those include The Environment Act 2021 and the Future Homes Standard that aims to reduce carbon emissions in housing by 75-80%.

> The SPD works with Herefordshire's Local Plan but builds on it in a number of areas in order to support the delivery of the a zero carbon county - alongside Herefordshire Council's Carbon Management Plan 2021-2026, and the 2021 Herefordshire Future Homes guidance.

> Existing building standards and design guides like Building Research Establishment's Environmental Assessment Method (BREEAM), Passivhaus and The London Energy Transformation Initiative (LETI) can help ensure projects deliver true, proven sustainability.

National Planning Policy

Effective planning is key to address the challenge of climate change, can play a key role in reducing greenhouse gas emissions. Planning can also help increase resilience to climate change impact through the location, mix and design of development. Addressing climate change is one of the fundamental land use planning principles which the National Planning Policy Framework expects to underpin both plan-making and decision-taking.

The National Planning Policy Framework (NPPF)



Published in July 2021, it sets out the Government's planning policies for England. It has a presumption in favour of sustainable development. This means



Image 5:
4 [visitherefordshire.co.uk/see-do/scenic-trails/hills-herefordshire](https://www.visitherefordshire.co.uk/see-do/scenic-trails/hills-herefordshire)

planning to meet the needs of the present without compromising the ability of future generations to meet their own needs.









A fundamental principle for planning highlighted in Chapter 2, is that it should contribute to protecting and enhancing the natural, built and historic environment. This includes; making effective use of land, helping to improve biodiversity, using natural resources prudently, minimizing waste and pollution, mitigating and adapting to climate change and moving to a low carbon economy. The NPPF contains a range of policies which promote sustainable development by requiring good design, promoting healthy communities, meeting the challenges of climate change and flooding, and enhancing and conserving the natural and local environment.

Local planning authorities when setting any local requirement for a building's sustainability are expected to do so in a way consistent with the government's zero carbon buildings policy and adopt nationally described standards. Local requirements should form part of a Local Plan following engagement with appropriate partners, and will need to be based on robust and credible evidence and pay careful attention to viability.

Further Information

- [The National Planning Policy Framework \(NPPF\)](#)

Policy addresses:

-  Climate change
-  Low carbon construction
-  Renewable energy
-  Planning
-  Circular economy
-  Biodiversity
-  Sustainable transport
-  Reduces waste

NPPF Chapter 12 ‘Achieving well-designed places’, states the importance of high quality, beautiful and sustainable buildings. Good design is a key aspect of sustainable development. To provide maximum clarity about design expectations at an early stage, all LPAs should produce design guides consistent with the principles set out in the National Design Guide and National Model Design Code.

Paragraph 134 of the NPPF states the importance of giving significant weight to:

- a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents which use visual tools such as design guides and codes; and/or
- (b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings. [*NPPF Chapter 12 ‘Achieving well-designed places’ Paragraph 134*]

Chapter 14 of the NPPF ‘Meeting the challenge of climate change, flooding and coastal change’:

“The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure”.

The chapter identifies that planning systems should support the transition to a low carbon future in a changing climate, taking into account of flood risk and coastal change. Planning should help to shape places in ways and advises that new development should be planned for in ways that

- Avoid increased vulnerability to the impact arising from climate change
- Help reduce greenhouse emissions, through location, orientation and design.
- Help increase the use and supply of renewable and low carbon energy and heat, by providing a positive strategy for energy from these resources. Maximising the potential for sustainable development.

Further Information

- [National Planning Policy Framework \(NPPF\): Chapter 12 ‘Achieving well-designed places’](#)
- [National Planning Policy Framework \(NPPF\): Chapter 14 ‘Meeting the challenge of climate change, flooding and coastal change’](#)
- [The Planning Practice Guidance \(PPG\)](#)
- [The Planning and Energy Act 2008](#)

Planning Practice Guidance (PPG).



This national guidance provides clarity on the interpretation of the NPPF and makes planning guidance more accessible. The guidance advises on suitable mitigation and adaptation measures in the process to address the impact of climate change.

The Planning and Energy Act 2008



This allows local planning authorities to set energy efficiency standards in their development plan policies that exceed the energy efficiency requirements of the building regulations. These policies must not be inconsistent with relevant national policies for England

The Written Ministerial Statement on Plan Making dated 25 March 2015

clarified the use of plan policies and conditions on energy performance standards for new developments. It states that local planning authorities should not set any additional local technical standards or requirements relating to the construction, internal layout or performance of new dwellings. Different rules apply to residential and non residential premises.

However, amendments in the Planning and Energy Act 2008 have not been enacted; the power given

to local planning authorities through the Act to set energy efficiency standards still exists. LPAs are allowed to set standards above the building standard minimum.

Provisions in the Planning and Energy Act 2008 allow development plan policies to impose reasonable requirements for a proportion of energy used in development in their area to be energy from renewable sources and/or to be low carbon energy from sources in the locality of the development. It is expected this will be addressed in the new local plan.

Although this SPD does not set out new policies, it provides guidance and best practice recommendations for improving building performance, energy use, external environment, accessibility and construction. The guidance set out indicates the direction of travel of local policy; applicants and agents can expect that the revision of the Local Plan will set standards above Building Standards minimum. This SPD encourages voluntary adoption of higher standards in their schemes as soon as possible.

Further Information

- [The Planning Practice Guidance \(PPG\)](#)
- [The Planning and Energy Act 2008](#)
- [The Written Ministerial Statement on Plan Making dated 25 March 2015](#)

Emerging National Policy and Legislation

The Environment Act 2021



This sets out a new agenda for environmental reform and governance in the UK. The Act amends the Environmental Act 1995 and Water Industry Act 1991. This Act sets out new regulations on air quality, water usage, waste disposal and resource management, biodiversity, and environmental risk from chemical contamination. This act creates a new environmental watchdog, the Office for Environmental Protection OEP, to ensure environmental laws are complied with.

The Act is divided into eight sections, which can be grouped into three major areas: giving the secretary of state the power to amend regulations in areas of environmental concern, legally enshrining biodiversity targets and give local government powers to help enforce targets on air quality, water and waste management and conserving and enhancing biodiversity. The UK Government sees the bill as paramount to ensure both its 25 Year Environment Plan and its Net Zero Carbon Emissions by 2050 goal are met.

The National Design Code and Guide (NMDC)



This sets out the characteristics of well-designed places and demonstrates what good design means in practice. The National Model Design Code and Guide is part of a wider strategy set out in 'Living with Beauty' report published in January 2020. This forms part of the national planning practice guidance and is to be used alongside the planning practice guidance notes. The guide sets out 10 design characteristics for well designed places. Design coding is a tool to help define high quality design-this tool can be utilised by local planning authorities, developers and local communities. It is expected there will be a national code, a county level code and a neighbourhood plan code.

The Planning for the Future Consultation



This sets out to reform the planning system to streamline and modernise the planning process. This intends to bring a new focus to design and sustainability, improve the system of developer contributions to infrastructure, and ensure more land is available for development where it is needed. There is a strong focus to build and design.

Further Information

- [The Environment Act 2021](#)
- [The National Design Code and Guide \(NMDC\)](#)
- [The Planning for the Future Consultation](#)

better, and improve the sustainability of buildings. Building better, building beautiful chapter, highlights the importance of sustainable design and setting out clear expectations for the form of design development.

The Future Homes Standard Consultation



The changes proposed in 2019 to building regulations set out higher building requirements to reduce carbon emissions and waste.

The scope states: “As part of the journey to 2050 we have committed to introducing the Future Homes Standard in 2025. This consultation sets out what we think a home built to the Future Homes Standard will be like. We expect that an average home built to it will have 75- 80% less carbon emissions than one built to current energy efficiency requirements.”

The document sets out changes proposed for part L (Conservation of fuel and power) and F (Ventilation) of the current building regulations.

The initial Future Homes Standard consultation addresses: options to uplift standards for Part L of the Building Regulations in 2020 and changes to

Part F, more stringent transitional arrangements for these standards to encourage quicker implementation, draft outline specification for future consultation about the Future Homes Standard, and clarifying the role of planning authorities in setting energy efficiency standards.

The two options to uplift energy efficiency and standards in building are:

- Option 1: 20% reduction in carbon emissions compared to the current standard for an average home. We anticipate this could be delivered by very high fabric standards (typically with triple glazing and minimal heat loss from walls, ceilings and roofs).
- Option 2: 31% reduction in carbon emissions compared to the current standard. We anticipate this could be delivered based on the installation of carbon-saving technology such as photovoltaic (solar) panels and better fabric standards, though not as high as in option 1 (typically double not triple glazing)

The preferred option from government is Option 2, delivering greater carbon savings and lower builds, but will have a higher householder cost.

Further Information

- [The Future Homes Standard Consultation](#)
- [The National Design Code and Guide \(NMDC\)](#)

Local Planning Policy

Herefordshire Local Plan Core Strategy 2011 - 2031



Adopted October 2015



Image 6:
5 Herefordshire Local Plan Core Strategy

The Herefordshire Core Strategy 2011-2031 was adopted in October 2015. This document sets out the vision and objectives that will underpin all the Council's planning policies. The Core Strategy recognises the importance of sustainable development and adapting to the impacts of climate change. This SPD will complement other policies contained in the Core Strategy. There are key policies that address environmental, ecological and climate policies within the Core Strategy detailed below. The Local Plan is currently under review, a pre-submission draft is expected to be produced by spring 2023.

This SPD supports Policy SS7: Addressing Climate Change. This promotes development in Herefordshire, for the most suitable location and supports design developments to reduce carbon emissions. It supports development that encourages sustainable modes of travel such as cycling, walking and using public transport. The core sections of this document addresses climate change and sets out guidance for new development for applicant, agents and designers to consider when developing their scheme.

This key policy this SPD provides further guidance on is Policy SD1 Sustainable Design and Energy Efficiency (detailed below). In summary, development proposals should create safe, sustainable, well integrated environments for all members of the community.

Further Information

- [The Herefordshire Core Strategy](#)

Proposals should make efficient use of land and utilise physical sustainability measures including provision of water conservation measures, storage for bicycles and enable renewable energy and energy conservation infrastructure. Where possible, on-site renewable energy generation should be incorporated and sustainable construction methods should be utilised. This SPD provides detail on sustainable building design, improving building performance, improving energy use, enhancing external environment, improving the accessibility and suggesting ways construction can be more sustainable. This SPD sets out recommendations for best practice and details examples of case studies as exemplars of best practice.

The SPD also supports parts of Core Strategy policies that are:

Policy SS6 Environmental quality and local distinctiveness. Requires measures that conserve and enhances environmental assets that contribute towards the country's distinctiveness. This policy requires development proposals to take an integrated approach to the following environmental components from the outset that are; landscape, townscape and local distinctiveness, historic environment and heritage assets, light pollution, air quality and tranquillity, waste, water environment, renewable energy and energy conservation. Historic settlement patterns and character were shaped

by the climate, topography, communication routes and locally available materials but also reflected technological improvements, social patterns and fashion.

Sustainable development within a historic environment is not inconsistent with this, and should respond to contemporary societal needs and pressures and should not be a slavish or pick and mix copying of historic detail.

Policy SD2 Renewable and Low Carbon Energy Generation. Development proposals that seek to deliver renewable and low carbon energy will be supported when they meet certain criteria including not resulting in any significant detrimental impact upon the character of the landscape and can be connected efficiently to existing nation grid infrastructure if required.

Policy SD3 Sustainable water management and water resources. Requires measures for sustainable water management to be an integral element of new development to reduce flood risk, avoid an adverse impact on water quality as well as protecting and enhancing groundwater resources. It encourages proposals that are specifically aimed at the sustainable management of the water environment. It also seeks to reduce flows to sewage treatment works which would contribute to reducing nutrient levels in the receiving water courses.

Policy LD1 Landscape and Townscape.

Development proposals should demonstrate the character of the landscape and townscape has positively influenced the design, scale, nature, site section, protection and enhancement of the setting of settlements and designated areas. Proposals should conserve and enhance the natural, historic and scenic beauty of important landscapes and features.

Policy LD2 Biodiversity and Geodiversity.

Development proposals should conserve, restore and enhance the biodiversity and geodiversity assets of Herefordshire through retention and protection of nature conservation sites and habitats and important species. They should restore and enhance existing biodiversity and connectively to wider ecological networks and create new biodiversity features and wildlife habitats.

Policy LD3 Green Infrastructure. Development proposals should protect, manage and plan for the preservation of existing and delivery of new green infrastructure. They should identify, retain and protect existing green corridors and linkages including tree, hedgerows, woodlands, water courses and the adjoining flood plain.

Policy LD4 Historic Environment and Heritage Assets.

Development proposals affecting heritage assets and the wider historic environment should protect, conserve enhance heritage assets. New development where it affects a historic asset or the wider historic environment will be supported where it can be demonstrated that it will result in the conservation and protection of its special interest. Heritage assets can provide a focus for regeneration schemes and proposals which result in the retention and imaginative re-use of redundant or under used structures will encouraged, and favoured above demolition and new build.



Image 7:

6 Ledbury Market House Heritage Asset
visitherefordshire.co.uk

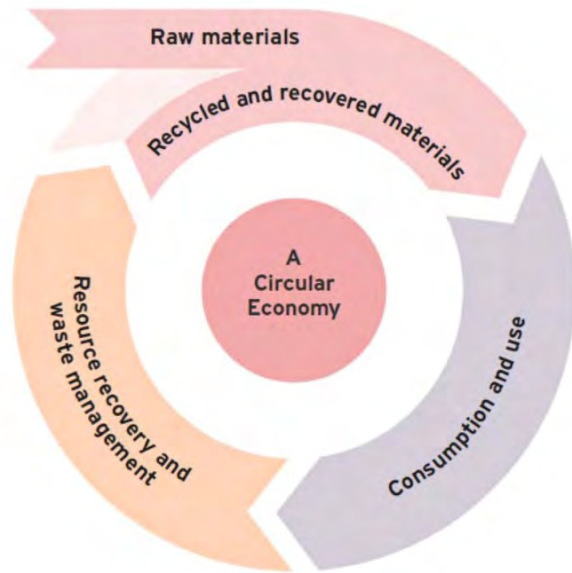


Image 8:
7 The Circular Economy, Resources and Waste Strategy (Figure 5 from Herefordshire Minerals and Waste Local Plan 2021)

Policy MT1 Traffic Management, Highway Safety and Promoting Active Travel. Development proposals should promote and incorporate transport connections, including access to services by means other than private motorised transport. They should encourage active travel behaviour to reduce numbers of short distance car journeys through the use of travel plans and other promotional and awareness raising activities.

The Herefordshire Minerals and Waste Local Plan

Herefordshire Minerals and Waste Local Plan (MWLP) sets out the council’s preferred strategy for meeting the county’s minerals and waste needs until 2041. The plan is currently at pre-submission publication stage, and is anticipated for adoption in 2022. Policy W1, Waste Strategy, sets a strategy to reduce waste and promote the increase in reuse, recycling and energy recovery in Herefordshire, resulting in a reduction of waste disposed to landfill. Policy W6 sets out preferred locations for sustainable recovery of construction, demolition and excavation of waste.

This SPD sets out minimising waste caused from demolition and construction from the onset and has detailed guidance for applicant, agents and NDP policy makers.

Neighbourhood Plans

Herefordshire currently has 113 designated Neighbourhood Plan areas, with 82 made Neighbourhood Plans (November 2021).

Many of the plans include objectives and policies on sustainable design and renewable energy in their plan. This SPD provides guidance to help inform local communities to help expand existing policies, also develop sustainable policies that are locally responsive to their area.

Further Information

- [The Herefordshire Minerals and Waste Local Plan](#)
- [Neighbourhood Plans](#)

Definitions

- **Circular economy:** any practice that looks to reuse or repurpose existing building fabric. Circularity saves significant embodied emissions and can cut costs.

Herefordshire Council's third **Carbon Management Plan 2021-2026**, sets out of a 75% reduction in carbon emissions by March 2026 (vs 2008 baseline) and guidance indicating how Herefordshire Council can minimise carbon emissions. This is an interim target on the path for Herefordshire to be carbon neutral by 2030/2031.

In 2021 a **Carbon Management Action Plan** was produced to accompany the management plan. The action plan highlights areas that can help reduce Herefordshire Council emissions, and support green energy and future projects.

In response to the climate emergency declared by Herefordshire Council in March 2019, a 10-year construction programme to provide 2500 new affordable, zero carbon homes is underway.

The net zero affordable housing standard guide **Herefordshire Future Homes** sets out the standards for net zero homes developed by the Council and its partners in Herefordshire.

The 2021 **Herefordshire Future Homes (HFH)** sets out standards for all all stakeholders involved in housing. High level aims and detailed technical recommendations are given for Herefordshire's new and existing homes and communities. The

recommendations listed detail a roadmap to net carbon delivery in Herefordshire. By harnessing the principles set out in the HFH, it is expected to not only produce zero carbon affordable homes, and improve the upgrade of existing homes, but also create jobs and skills in Herefordshire whilst supporting the local community.

The standard goes beyond energy use, and intends to create a wide-ranging design/ sustainability/ community framework to support this progressive and collaborative programme. This will work alongside the Environmental Building Standards SPD and raise the bar for environmental building standards across Herefordshire, inspiring others to provide greener, more efficient building in order to minimise carbon emissions and improve quality of life.

Further Information

- [Herefordshire Council Carbon Management Action Plan](#)

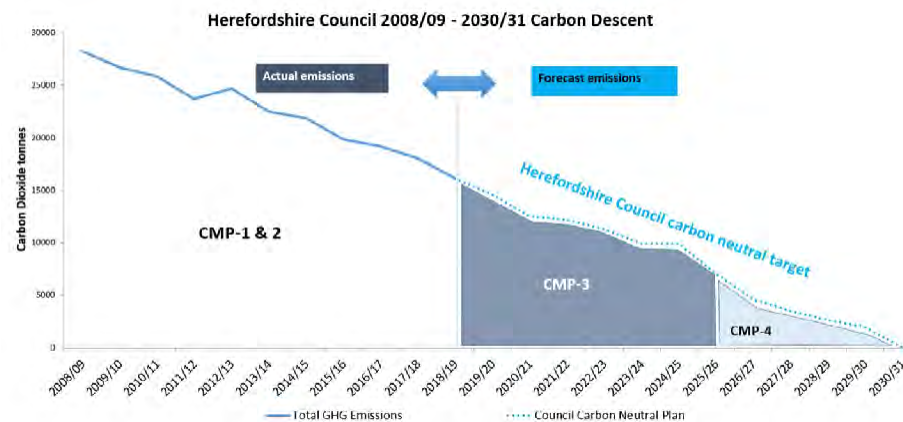


Image 9:
8 Herefordshire Council Carbon Management Action Plan

Building Standards

Existing building standards have been considered and included in this SPD are listed below. These standards have helped inform the guidance set out within the document and have help to set out the best practice recommendations included in each chapter. A detailed explanation of these standards and guidance of how these standards can be applied can be found throughout the core chapters of this SPD.

- [Passivhaus](#) - Featured in the building performance chapter, energy use and construction.
- [LETI Design Guidance](#) (The London Energy Transformation Initiative) - Featured in the building performance, energy use, construction chapters.
- [BREEAM](#) (Building Research Establishment Environmental Assessment Method) - Incorporated in several chapters.
- [Built for Life](#) - Featured in external environment chapter.
- [Building with Nature](#) - Featured in external environment chapter.
- [RIBA 2030 Climate Challenge](#) standard - Incorporated in several chapters.
- [Bioregional One Planet Living Framework](#) - Incorporated in several chapters.

The gap between current Building Standards and Passivhaus

The Standards set out in Passivhaus currently exceed existing UK Building Regulations, these are currently at a relatively low bar in terms of energy and fabric efficiency.

Part L of the Building Regulations and the requirement for energy certification does not align with the calculations provided under Passivhaus Standard. The standards included in the current UK regulations are significantly lower than the ones set out in Passivhaus standards but requirements will still need to be met under the Building Regulations.

If you require further information regarding Building regulations and compliance, please contact the Herefordshire Council Building Control department where they can provide further advice. Contact details are provided on the following link <https://www.herefordshire.gov.uk/building-control/building-control-1/3>



Image 10:
9 Building Standards Logos

The Herefordshire Future Homes standard (HFH) lays out the best practice build standards and energy targets that Herefordshire Council believe would deliver sustainable, net zero housing in the county.

The standard works alongside this SPD, and the National Model Design Code. It sets out recommendations for energy, embodied carbon and water targets as well as targets for accessibility and sustainable transport.

The key recommendations are:

- Undertaking a wholelife carbon and cost report
- Design for water use of less than 75l pp/day
- Delivery of buildings to Passivhaus Plus standards (total energy use <45kWh/sqm.yr) with heat pumps or other low carbon heating replacing fossil fuels
- Including on-site renewables on all homes, and designing a strategy to maximise storage
- Wholelife embodied carbon should be less than <625 kgCO²e/sqm (RICS stages A-C)
- Residual embodied carbon emissions should be offset through a parallel programme of low-energy retrofits (to EnerPHit or AECB Carbonlite standards) – or through other robust offset schemes
- Pedestrian/cycle-friendly transport strategies
- All homes to be wheelchair-accessible
- All developments designed to be tenure blind
- Homes should pass CIBSE TM59 – using 2080 predicted weather files to ensure they are climate resilient. (GHA’s overheating tool can be used for smaller developments)
- MVHR should be designed in to optimise cooling and ventilation
- A First Year soft landings programme should be planned to help residents get the most out of their new homes
- Post Occupancy Evaluation should be carried on 50% of new homes – monitoring energy, carbon emissions, running and maintenance costs as well as user satisfaction, at 1, 2 and 5-year set points.

The document will be reviewed annually, and will continue to add best practice examples as a way of raising expectations within the county.

Further Information

- [Herefordshire Future Homes standard 2021](#)

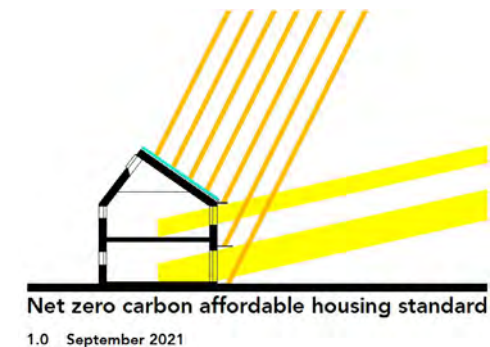


Image 11:
10 HFH guide 2021