Guidance on preparing Sustainable Construction and Energy Statements

First published June 2019
Last updated July 2022 - Amendments to para 3.11

1.1 This document provides detailed guidance on the application of Policy TP3 Sustainable Construction and Policy TP4 Low and Zero Carbon Energy Generation in the Birmingham Development Plan (BDP). It does not create new policy or place additional burdens on applicants; rather it explains what information is needed in order to demonstrate that the requirements of the policies will be met.

1.3 This guidance note sets outs:

The policy context;
What development the policies apply to;
The information required from applicants to demonstrate the policy has been met; and
How the information submitted will be assessed.

2.1 The National Planning Policy Framework (February 2019) makes clear that the transition to a low carbon future and use of renewable and low carbon energy in a changing climate is a core planning principle of national planning policy.

2.2 The BDP sets out a development strategy and planning policies to ensure that development is appropriately located, designed, constructed and operated. BDP Policy TP1 provides an overarching policy which seeks to reduce the City's carbon footprint by 60% by 2027. BDP Policy TP2 set out measures that can help to manage the impacts of climate change. BDP Policy TP3 provides policy on Sustainable Construction and Policy TP4 on Low and Zero Carbon Energy Generation. This guidance notes deals specifically with the application of Policies TP3 Sustainable Construction and TP4 Low and Zero Carbon Energy Generation.

3.1 Policy TP3 sets out a number of ways in which development should be designed and constructed. The majority of the bullet points listed in Policy TP3 are cross-referenced to other

3.10 Amendments to the Planning and Energy Act 2008 have not been enacted, and the power afforded to local planning authorities through the Act to set energy efficiency standards in new homes still exist. Consequently, local planning authorities are able to set standards above the building regulatory minimum. While a specific carbon reduction target for new development has not been prescribed within the BDP policies, there is a clear policy expectation that carbon reductions should be achieved. Policy TP3 requires all new development is to be designed in ways that

- Applicant to take account of the policy requirements of TP3 when developing their scheme.
- Developer appoints BREEAM assessor
- Preliminary assessment completed by an accredited and licensed BREEAM assessor.

Stage 2 Application

Outline

- Outline applications will be addressed on a case-by-case basis as the amount of detail which is provided can vary. A pre-assessment estimate can show what rating a project has the potential to achieve, typically based on available information, developer commitments and discussions with a BREEAM Assessor or Advisory Professional.
- Outline approval will be issued with a condition which requires the submission of an interim/ design stage assessment certificate at the full application/reserved matters stage. This condition will commit the development to achieving the BREEAM standard targeted at the outline stage. Post-construction assessments and certificates will also be conditioned with full planning permission and will need to be submitted before any part of the development can be occupied.

Detailed

- Interim certificate submitted as part of the planning application where available. If not available, a BREEAM preliminary assessment must be submitted and completed by an accredited and licensed BREEAM assessor.
- Financial viability assessment submitted if not achieving 'Excellent' standard. Further information on financial viability considerations is set out below.

Stage 3 Decision

- Grant of planning permission based on preliminary assessment or interim certificate.
- Planning condition requiring final BREEAM certification

Stage 4 Post Construction

- Post-Construction review/assessment conducted after which the BRE certification body will issue a final certificate confirming the BREEAM level attained.
- Post construction review/assessment and final certificate confirming the BREEAM level attained to be submitted to local planning authority after practical completion of the building works.

3.16 Each eligible building will require their own BREEAM assessment. Where there is an application for outline planning with reserved matters, a separate BREEAM certificate should be received for each of the qualifying buildings within the development.

<u>What if 'Excellent' cannot be achieved?</u>

3.17 Policy TP3 states that qualifying development should aim to meet BREEAM standard Excellent unless it can be demonstrated that the cost of achieving this would make the proposed development unviable.

3.18 It may be that a 'Very Good' rating can be achieved within a viable development instead of an 'Excellent' rating. If this is the case, the Council will accept a statement setting out a reasoned justification for achievement of a 'Very Good' rating.

3.19 For any rating below 'Very Good', the applicant would need to submit a financial viability assessment to demonstrate why the policy requirement could not be met. The local planning authority will seek independent advice to review the evidence within the financial appraisal. The applicant will be required to meet the costs of any such review.[2]

Outstanding/ Excellent	None
Very Good	Reasoned justification statement
Good	Financial viability assessment
Pass	Financial viability assessment
None	Financial viability assessment

4.1 Policy TP4 requires all new development to incorporate the provision of low and zero carbon forms of energy generation or connect into a network where is exists, unless it can be demonstrated that the cost of achieving this would make the proposed development unviable.

4.2 The policy does not prescribe a % of energy to be generated by LZC technology. However, there is a clear policy expectation that some form LZC solution should be incorporated into new development schemes, unless unviable, to contribute to the overall carbon reduction

4.7 Applicants can use the following statements to show how their proposals contribute to sustainable design and construction:

A section within the Design and Access Statement; or
A separate Sustainable Construction Statement or Energy Statement; or
A combined Sustainable Construction and Energy Statement

4.8 The level of information provided should be proportionate to the scale and nature of the development proposed. Sections 4.15 –4.19 of this document provides detailed guidance on the information required for outline planning applications and reserved matter and detailed planning applications. The statement should demonstrate compliance with Policy TP4. Detail on what should be included in an Energy Statement below and a suggested template/ structure for the technical data required is set out in Appendix 3.

4.14

- System description, supported by site plans
- Reason for proposing the chosen technology
- Installed capacity and estimated output
- Site specific design requirements
- Detailed plan showing where the technology would be installed
- Relevant operational considerations. These will depend on the technology but may include: fuel storage and delivery arrangements, avoidance of nuisance and air quality issues and arrangements for maintenance.

Where it is not considered possible to incorporate LZC energy generation into a proposed development due to financial reasons, a financial viability assessment must be submitted to demonstrate this. The local planning authority will seek independent advice to review the evidence within the financial appraisal. The applicant will be required to meet the costs of any such review.

Evidence of investigation into existing or planned district heating networks that the development could be connected to for all applications for major development

Non-domestic building types covered under BREEAM New Construction 2018

Commercial	
Office	General office buildings Offices with research and development areas (i.e. category 1 labs only)
Industrial	Industrial unit – warehouse storage or distribution Industrial unit – process, manufacturing or vehicle servicing
Retail	Shop or shopping centre Retail park or warehouse 'Over the counter' service provider, e.g. financial, estate and

Full assessment of possible energy efficiency measures (over and above the minimum requirements of the current Building Regulations) including predicted energy savings in kWh/m^2/ annum and carbon reduction against baseline sc(87s of)3( )]TJEgain

Full details of the selected technology (or technologies) must be provided. This should include the following (where relevant):

Combined Heat and Power and District Heating	Description of technology including fuel type to be used Capacity – plant specification, electrical output (KWe), heat output (KWth) Estimated energy generation (KWh/yr) for electricity and heat separately Layout plan showing site size, boundary and location of infrastructure (e.g. location of boiler house, CHP units and boilers, storage area) Floor plans and elevations Details of connection to distribution network Noise and visual impact assessment Details of operation and management of installations Where appropriate, source of fuel supply, principle transport routes to and from the supply Details of vehicle access to and from the plant and estimated vehicle movements
Solar Thermal Systems and Photovoltaics	Description of technology Capacity- electrical output (KWp), number of panels or tubes, total area Estimated energy generation (KWh/yr) Design of the module or array (Photovoltaics) Elevations to show proposed location Orientation/roof pitch Roof plans and detail of roof mounting arrangement and methods of fixing, if applicable Potential shading from trees and other buildings Visual impact assessment
Wind Turbines	Description of technology Capacity- electrical output (KW) Estimated energy generation (KWh/yr) Layout plan showing the site size, boundary and location of infrastructure (e.g. location of turbines, sub-station, access tracks) Elevation plan Roof plan to show location of wind turbine (if roof mounted) Average site wind speed (minimum 12 months) and further information to fully demonstrate that the proposed wind turbine would actually deliver the wind output claimed Grid connection Proximity to the dwellings Noise, vibration and visual impact assessment For large wind turbines further information will be required, including topple zones, radar interference, microwave transmission buffers, archaeological assessment, consideration of impact on birds/bats etc. and Air Traffic Control.

	Evidence of consultation with Network Rail to establish if there would be any potential impacts on rail infrastructure e.g. topple zones, cabling, vibration impacts, radio/signalling impacts, shadow flicker.
Hydroelectric	Description of technology