

## ***Report to the Cabinet***

**Report reference:** C-044-2021/22  
**Date of meeting:** 07 March 2022



**Portfolio:** Planning and Sustainability – Cllr Bedford

**Subject:** Epping Forest District Council Sustainability Guidance Volume 3

**Responsible Officer:** Merve Anil / Nigel Richardson

**Democratic Services:** Adrian Hendry (01992 564246).

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### **Recommendations/Decisions Required:**

- (1) To note the public consultation process and outcomes (see Appendix B) and endorse the Epping Forest District Council (EFDC) Sustainability Guidance and Checklist Volume 3: Refurbishment and Extensions (Appendix A) as a material planning consideration for pre-application advice, assessing planning applications and any other development management purposes within the District.
- (2) To agree that the Planning Services Director, in consultation with the Planning and Sustainability Portfolio Holder be authorised to make minor amendments to the EFDC Sustainability Guidance and Checklist Volume 3: Refurbishment and Extension.

## **Executive Summary:**

The Council's emerging Local Plan sets out policies in relation to sustainable and high quality design and construction of developments. On 19 September 2019 the Council declared a Climate Emergency, including a resolution to do everything within the Council's power to make Epping Forest District carbon neutral by 2030. To support these policies and this declaration, the Council produced Sustainability Guidance and Checklist documents for use across the District; Volume 1: Major Developments (10+ units) and Volume 2: Minor Developments (1-9 units). The Harlow and Gilston Garden Town (HGGT) also produced a Sustainability Guidance document that applies to new development within HGGT sites. All three documents went through the public consultation process and following updates were approved by Cabinet as material planning considerations in March 2021. The Council also prepared the draft Sustainability Guidance and Checklist Volume 3: Refurbishment and Extensions which was presented to Cabinet at the same meeting as an update on progress, with a summary of the aims, objectives and purpose of the document. This document will provide householders with practical and technical guidance on how any extension or refurbishment work proposed to existing homes across the District can contribute to the Council's sustainability ambitions. It was proposed that the Volume 3 guidance be taken to public consultation following the publication of the London Energy Transformation Initiative (LETI) Retrofit Guidance (industry best practice). Further to updates to align the Volume 3 with LETI guidance, the Portfolio Holder for Planning and Sustainability was given delegated authority to approve the final draft of Volume 3 for public consultation.

This report sets out the changes proposed to the draft EFDC Sustainability Guidance and Checklist Volume 3: Refurbishment and Extensions following the consultation process and seeks Cabinet endorsement of this document as a material consideration in the determination of householder planning applications.

## **Reasons for Proposed Decision:**

To ensure that the EFDC Sustainability Guidance and Checklist Volume 3: Refurbishment and Extensions is afforded suitable planning weight by endorsing the document as a material consideration in the planning process. This will ensure that development proposals across the District contribute to the Council's sustainability ambitions, and that clear parameters are established for future pre-application advice, assessing planning applications and any other development management purposes.

## **Other Options for Action:**

Not to agree the EFDC Sustainability Guidance and Checklist Volume 3: Refurbishment and Extensions or endorse the document as a material consideration in the planning process, which would mean that there would be no guidance to support the delivery of sustainable extension and refurbishment of existing dwellings, and achieve the objectives set out in the Council's emerging Local Plan policies DM5, DM9, DM12, DM15, DM18-22.

**Report:**

1. The National Planning Policy Framework sets out a presumption in favour of sustainable development. The policies in the emerging Epping Forest District Local Plan are in line with this objective and encourage the delivery of developments that promote growth in sustainable locations, sustainable transport and that mitigate the impact on biodiversity and natural habitats. Epping Forest District Council declared a Climate Emergency in September 2019, and a commitment to target net zero carbon across the District by 2030.
2. Sustainability Guidance documents have been developed to support key policies on sustainable and high-quality place making alongside the Council's commitment to deliver net zero carbon developments by 2030. The first two documents in the suite; EFDC Sustainability Guidance documents (Volume 1: Major Developments and Volume 2: Minor Developments) were endorsed by Cabinet in March 2021 following public consultation as material planning considerations. These documents focus on new build developments. The EFDC Sustainability Guidance Volume 3: Refurbishment and Extensions is the third document in the suite which deals with work to existing homes. It has recently undergone the public consultation process. The following documents are attached to this report:
  - Appendix A – EFDC Sustainability Guidance and Checklist Volume 3: Refurbishment and Extensions
  - Appendix B – EFDC Sustainability Guidance Volume 3: Refurbishment and Extensions Engagement Tracker
  - Appendix C – LETI Climate Emergency Retrofit Guide
3. The National Design Guide (NDG) (published in 2019 and updated January 2021) supports the National Planning Policy Framework by setting out a list of 10 characteristics outlining the Government's priorities with regards to good design. The Sustainability Guidance documents align with the National Design Guide, especially with regards to the following principles;
  - Built Form; the NDG states that new developments should be compact in form and efficient in energy and material use. This aligns with the Energy Efficiency and Orientation sections of the Sustainability Guidance Volume 3.
  - Nature; the NDG's three ambitions as relating to the natural environment are (1) provide a network of high quality green infrastructure, (2) improve and enhance water management and (3) support rich biodiversity. These ambitions align with the Landscape Led Design section of the Sustainability Guidance Volume 3.
  - Resources; the NDG places an emphasis on the energy hierarchy and careful selection of environmentally friendly materials and construction techniques. This aligns with the Fabric-First Approach and Materials and Finishes sections of the Sustainability Guidance Volume 3.
  - Lifespan; the NDG supports developments that are built to last, maintained

by the communities that occupy them and adaptable to future needs. This aligns with the Adaptable and Futureproof Design section of the Sustainability Guidance Volume 3.

4. This report seeks Cabinet endorsement for the EFDC Sustainability Guidance and Checklist Volume 3: Refurbishment and Extensions to become a material planning considerations when providing pre-application advice, assessing planning applications and any other development management purposes.
5. Applicants and designers will need to demonstrate how their proposals address the checklist section of the EFDC Sustainability Guidance and Checklist Volume 3: Refurbishment and Extensions. This checklist will also become part of the Council's Validation Checklist, and a requirement for planning applications. Applicants will use the checklist to demonstrate that the principles of sustainable householder development have been considered across all aspects of the project.
6. The LETI Climate Emergency Retrofit Guide will be included as an Appendix to the EFDC Sustainability Guidance Volume 3, as further technical resource.

## Objectives

7. The principle objective for the EFDC Sustainability Guidance and Checklist Volume 3: Refurbishment and Extensions is to act as a practical and technical guide on sustainability principles as they apply to householder applications to ensure development of existing homes within the District meets sustainability targets. It sets out the EFDC policy context as it relates to sustainable development, provides best practice sustainable design principles that can be implemented by homeowners and signposts to other relevant guidance documents. The document also refers to the LETI Retrofit Guide (providing best-practice advice from industry experts, published in October 2021) which is included as an Appendix.
8. Within this overarching objective is a focus on high-quality design and a fabric-first approach to environmental sustainability, to deliver high quality development while also ensuring carbon and energy efficiency.
9. The design of all new development should be landscape led and cross disciplinary and this should inform a proposal from its initial scoping through to detailed design submission of a planning application and discharge of conditions. The design should not address only a limited aspect of sustainability but demonstrate holistic consideration of the different topics presented within the guidance including; energy efficiency and carbon, renewable energy, water efficiency, green infrastructure, circular economy, waste, pollution and air quality. It is important that this design process is iterative and, where appropriate, involving the Council's urban and landscape design officers.
10. The EFDC Sustainability Guidance Volume 3: Refurbishment and Extensions was

approved by Cabinet in March 2021 for a 6 week public consultation period. Following the consultation (see details below), changes have been made based on the comments that were received. The intention is for the updated EFDC Sustainability Guidance and Checklist to be endorsed as a material planning consideration in the consideration of planning proposals dealing with works to existing homes.

## **Consultation**

11. The Council undertook some informal engagement prior to the development of the draft EFDC Sustainability Guidance and Checklist Volume 3: Refurbishment and Extensions and the draft document was presented to Cabinet in March 2021 to note progress. Following updates made to the EFDC document based on the LETI Retrofit Guide, the Portfolio Holder for Planning and Sustainability approved the document for public consultation, and the document was published for formal consultation for a six-week period from 10 January 2022 to 21 February 2022.
12. The early engagement involved whole-document reviews (including with the Local Plan Implementation Forum) as well as specific topic-focused workshops with relevant officers across the Council (including from Planning and Housing).
13. The formal consultation was undertaken in accordance with the Council's adopted Statement of Community Involvement. It involved both digital and non-digital means.
14. The following list provides a summary of the various engagement methods used during public consultation.

### *Digital engagement:*

- Consultation notice via email to EFDC databases, statutory consultees and other targeted stakeholders.
- Provision of an email address for enquiries and consultation response submissions.
- Dedicated consultation page on EFDC website, including PDFs of EFDC Sustainability Guidance and Checklist Volume 3: Refurbishment and Extensions, the LETI Retrofit Guide and link to questionnaire.
- Social Media awareness campaign
- Staffed online Q&A for Members and the public

### *Non-digital engagement:*

- Limited number of hard copy consultation packs on request
- Address available in case any stakeholders wished to return consultation response by mail.

15. The Council received comments through email responses, online events and an

online questionnaire. A full schedule of the representations received is attached at Appendix B.

The comments received in response can be broadly categorised into the following themes:

- Recommendations on stronger wording within the guidance document to enforce the principles of sustainable design and their implementation within refurbishment projects.
- Suggestions of further useful guidance / reference documents that the EFDC document could signpost to, for further technical information
- The importance of providing information on funding and grant opportunities, as these will form the greatest incentives to residents.
- More detailed suggestions to the ‘Design Principles’ section to include (but not limited to) information on biodiversity, guidance for paving in gardens, hydrogen boilers and electric vehicle charging points.

16. Key updates and changes to the Guidance documents, to respond to the above consultation and comments, include:

- Guidance makes clear that there is a requirement to submit the Checklist as part of any planning application, and that the Checklist will form part of the Council’s Validation Checklist.
- List of key documents / websites / resources to refer to have been updated to incorporate references made through consultation responses.
- List of funding and grant options have been reviewed to ensure it is up to date.
- Updates have been made to various headings under the ‘Design Principles’ section to include additional measures / considerations such as (but not limited to): biodiversity, paving, use of hydrogen boilers, window replacement, vehicle charging points.

17. The amended document has sought to address the issues raised in the consultation, to ensure that a robust Guidance has been produced. Beyond publication of the guidance next steps include: ongoing work with planning applicants to ensure that sustainable and good quality design, as set out, is being achieved; ensuring that the Guidance documents are understood and disseminated to key Service areas and officers within the Council, providing colleagues in the Planning Service department with training sessions to ensure best use of guidance documents.

## **Resource Implications**

The work to support the EFDC Sustainability Guidance Volume 3: Refurbishment and Extensions to be viewed alongside the emerging Local Plan is covered by the local plan budget and staff within the Local Plan and Implementation teams.

### **Safer, Cleaner and Greener Implications:**

The Sustainability Guidance Volume 3: Refurbishment and Extensions seeks to take forward emerging Local Plan policies designed to promote the notion of making good places to live, work and visit, and apply this to householder development. This will include sustainable development, energy efficiency and environmental considerations.

The delivery of the Sustainability Guidance Volume 3: Refurbishment and Extensions will help contribute to safer, cleaner, greener objectives by planning for sustainable development.

### **Consultation Undertaken:**

Informal engagement has been undertaken with officers, the EFDC Leadership Team, Local Plan Implementation Forum and EFDC Councillors.

Formal consultation was then undertaken in accordance with the Council's adopted Statement of Community Involvement.

### **Background Papers:**

- 19<sup>th</sup> March 2021 Cabinet Report
- EFDC Sustainability Guidance Volume 1: Major Developments
- EFDC Sustainability Guidance Volume 2: Minor Developments
- HGGT Sustainability Guidance

### **Risk Management:**

The use of this document as a material planning consideration will support the Council's objectives of achieving high quality and sustainable design in the district and encourage good quality development.