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10 May 2018

**City of Edinburgh Council Draft Supplementary Guidance – Heat Opportunities Mapping**

Dear Lynne,

Homes for Scotland (HFS) welcomes the opportunity to respond to the draft City of Edinburgh Council Supplementary Guidance on Heat Opportunities Mapping and this letter comprises our comments on this draft guidance.

HFS is concerned about the introduction of new supplementary guidance on heat opportunities mapping, as part of the authority’s promotion of zero and low carbon technologies in new development through the planning system.

HFS is fully supportive of the aspiration to continue to cut CO2 emissions across Scotland and member companies have been leading research into, and deployment of numerous approaches. However, HFS views the key means to achieve this is for any efforts to be done strategically and in partnership with all industry sectors. Success will only be achieved where there is buy-in across all sectors and risks of unintended consequences are avoided or over ambitious expectations are set for a particular sector.

It will however also be essential to avoid circumstances where aspirations cannot be delivered due to the lack of sufficient infrastructure or misplaced expectations.

It is HFS’s view that there must be a reasonable balance of the need to reduce CO2 emissions alongside increasing the delivery of enough new homes of all tenures across Scotland and achieving sustainable economic growth that remains at the heart of national and local policy.

HFS continues to urge caution in how district heat networks are sought and whilst the objective of reducing carbon emissions from developments (through their construction and use) is supported, this must be through a pragmatic and balanced approach.

The reality will be that unless a development is close to an existing / proposed heat source, or part of a large mixed-use development with the potential to share / sell heat, an Energy Use / Sustainability Assessment should be sufficient to justify why a heat network is not possible. Spending time and money on a detailed feasibility study just to confirm that a heat network is not viable will delay much needed housing delivery.

The common assumption that a housing developer can also deliver this form of infrastructure and absorb the risks associated with it is also misplaced and inappropriate. It is essential that the expectations of housing developers and energy providers is clearly delineated and understood.

We consider that this draft guidance places the obligation on the developer / applicant to identify opportunities for heat networks, as a bolt on to the existing local development plan, encompassing an element that utilities providers will cover.

The reality of the situation is that as new homes become more energy efficient, heat demand will continue to fall. Therefore, delivering a heat network for a housing only development is unlikely to ever be economically viable to the state it would support investment in infrastructure from a district heat provider. Planning policy is slow to change and be updated in line with the most up to date technologies and practices, therefore this draft guidance sitting as Supplementary Guidance to the LDP is not the best place for mapping on heat network opportunities to sit. This would be more appropriate in line with emerging energy policy guidance or to support Building Standards requirements.

HFS recognises that the starting point on reducing emissions is for new buildings to “*avoid a specified and rising proportion of the projected greenhouse gas emissions from their use*” which is part of the obligation currently set through Section 3F of the Planning Act.

Many home builders have been working towards this goal driven by the changes in Building Standards and significant improvements have been achieved in the overall energy efficiency of buildings. This is the ‘fabric first’ approach and such gains will be permanent improvements to a building. In some contrast then adding new installations (i.e. low and zero-carbon generating technologies) has the potential to be relatively temporary features which bring with them maintenance and user operation implications that could result in these simply being switched off.

There is also a risk that if low and zero-carbon generating technologies are required, the further gains in overall building energy efficiency that are possible will not be pursued given the arithmetic advantage that such technologies deliver within the SAP calculations undertaken as part of the Building Warrant process.

The Building Standards are the correct place for guidance and consideration of heat mapping to support energy efficiency work, rather than planning policy. The draft guidance seems like a bolt-on to the existing LDP rather than a formal strategy in line with Building Standards and energy policy. The Building Standards will also be continually reviewed and new standards to reduce greenhouse gas emissions will be progressed. It is unfortunate then that Section 3F of the Act appears to encourage the duplication of the activity of Building Standards in reducing emissions and in turn this makes the whole approach more confusing and bureaucratic for those demonstrating compliance and those assessing that demonstration. HFS also strongly agrees with the view that the duplication of legislation is contrary to the aims of the Regulatory Reform Bill, which seeks to simplify regulation and this section of the Act may yet to refined through the current Panning Review.

Nevertheless, it remains relevant that development plans promote the pursuit of more energy efficient buildings and developments to take forward the current obligations set out in Section 3F of the Act (i.e. new buildings are to “*avoid a specified and rising proportion of the projected greenhouse gas emissions from their use*”) but in so doing, a pragmatic and proportionate approach must also be adopted.

Real improvements in building performance, and indeed emissions reduction, has been driven through Building Standards rather than Section 3F of the Town and Country Planning (Scotland) Act. This view is noted within the Seventh Annual Report on the Operation of Section 72 of the Climate Change (Scotland) Act (published March 2017) and shared by our members. Indeed, a new home built to today’s standards (2015 Building Standards) represents around a 75% reduction in CO2 emissions compared with 1990 baseline levels. Emerging planning policies regarding low & zero carbon energy generating technologies, district heating, and indeed zero-carbon buildings overlap and duplicate policy interventions and national direction under Building Standards, limiting the flexibility the industry and its supply chains have in meeting Section 6: Energy Standards as well as making it more bureaucratic and complex for those seeking compliance.

We believe that Building Standards provide a more suitable and reactive framework to deliver emissions reductions. Planning should not concern itself with building performance. It is important to highlight that the Building Standards Division has already launched its review into the 2019/20 Building Standards and has indicated that they will begin a review of Section 6: Energy Standards in Q1 2018. Furthermore, a review group has already been formed to consider aspects of the Technical Handbooks including the role of “allowable solutions”. We are concerned that this draft guidance ultimately duplicates and pre-empts the work already being undertaken by Building Standards Division, who will also undertake a Business and Regulatory Impact Assessment on the proposals taken forward for consultation.

Additionally, new housing output in Edinburgh totalled 2,032 units for 2016, representing 0.83% of the existing domestic housing stock estimated at 244,131 dwellings for the same year. At the current rate of housing delivery, assuming all existing housing stock remains in use, by 2050 around a third of homes (80,000 dwellings) will have been constructed to 2010 Building Standards or above.

Whilst the Sullivan Report Update in 2013 and the Minister for Local Government and Housing have not defined a date for the delivery of net zero carbon homes, there is already a clear route-map to zero carbon buildings by 2050 as set out within the Climate Change Bill. HFS is fully supportive of the aspiration and effort to reduce CO2 emissions in Scotland, however believes that this should be done strategically, in partnership with industry stakeholders, and that policy interventions strike a balance between the need to reduce emissions, alongside that of increasing the delivery of much needed new homes in Scotland. At a time where the Scottish Government is developing strategic interventions to decarbonise and decentralise energy and heat, we consider this guidance to be too early given that national policy has not yet been finalised.

Homes for Scotland and its members are more than happy to constructively engage with the planning authority further on this. Should you wish to explore any of the concerns in more detail or have any questions, please get in touch with me or my colleague Michael Barton-Maynard (Policy Manager).

Yours sincerely,



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Bolt on –

Onerous expectiation on the develop/applicant

Too early – no nat policy dev’d yet

Alignment with BS / Energy policy.