

**HEARING STATEMENT FOR**

**BABERGH AND MID SUFFOLK JOINT  
LOCAL PLAN EXAMINATION**

**MATTER 7: ENVIRONMENT POLICIES**

**PERSIMMON HOMES (SUFFOLK) LTD**

**TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)**

**PLANNING AND COMPULSORY PURCHASE ACT 2004**

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## 1.0 Introduction

- 1.1 This Hearing Statement has been prepared by Persimmon Homes (Suffolk) Ltd (PHL) in the context of the promotion of Land north east of Frog Hall Lane, Hadleigh and Land east of Longfield Road, Capel St Mary, which is allocated for residential development under Policy LA028 and Policy LA054 respectively of the emerging Local Plan.
- 1.2 This Hearing Statement should be read in conjunction with representations made at previous stages of the Local Plan preparation, including the representations submitted by PHL to the Regulation 19 public consultation on the Pre-Submission Local Plan in December 2020. This Hearing Statement has been prepared following a review of the submitted evidence base. The responses are based on the plan as submitted (A01).

## 2.0 Matter 7 – Environment Policies

*7.11 a) Are the criteria in policy LP25 justified and consistent with national policy? In particular is there robust evidence to justify the targets within the policy and do they take into account viability?*

*b) Are the requirements of the policy clearly articulated and would the policy be effective?*

- 2.1 Policy LP25 has been drafted with the aim of mitigating climate change impacts and reducing carbon emissions through an energy efficiency approach. While PHL supports the aim for new homes to be as efficient as possible, there must be consistency on how efficiency requirements are applied; most notably, to be in line with the national technical standards contained in the Building Regulations requirements. This is in line with paragraph 150(b) of the NPPF.
- 2.2 On this basis, criterion 6 is not justified in 'encouraging' new homes to achieve 100 litres per person per day in terms of water efficiency relating to water

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consumption by future occupiers. The PPG states<sup>1</sup> that where a clear local need can be demonstrated, the higher optional Building Regulations requirement of 110 litres per person per day can be required by local policy in place of the mandatory standard requirement of 125 litres. Criterion 3(b) of Policy LP26 already requires compliance with this higher optional requirement for water efficiency.

2.3 While the water efficiency standard of 100 litres per day is stated in criterion 6 as being 'encouraged' for new developments to meet, the policy wording is not clear of which water efficiency standard is the requirement to be applied by the decision maker. **PHL considers that further clarification is required which can be achieved by deleting criterion 6 from Policy LP25.**

2.4 If it is considered to be necessary to encourage new developments to meet water efficiency standards that are above the requirements contained in the Building Regulations, this should be stated in supporting text to Policy LP25 instead.

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<sup>1</sup> 56-014-20150327

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*7.12 Are the requirements of policy LP26 justified and clearly articulated and would the policy be effective? In particular:*

*a) is the requirement to meet Space Standards in the Technical Housing Standards based on robust evidence?*

*b) does the policy need to encourage the use of design codes and use of the Design Review Panel?*

*c) is 1f consistent with LP06?*

*d) is it sufficiently clear as to when part 2k will be applied?*

2.5 Policy LP26 sets out a range of requirements which the Councils consider new developments must meet to ensure 'high-quality design' is achieved, the principle of which is supported when requirements align with national policy, in particular Chapter 12 of the NPPF.

2.6 In answer to part a of the above question, the requirement in criterion 1(e) for the Nationally Described Space Standards set out in the national Technical Housing Standards to be met is not justified. These Space Standards are optional standards, the adoption of which must be justified as required by footnote 46 of the NPPF. The adoption of Space Standards should also be informed by an established need for internal space standards to be a requirement, as set out in the PPG.<sup>2</sup> The Councils have not currently produced any relevant evidence justifying the inclusion of the requirement to meet Space Standards. **PHL considers that the Councils must provide the required evidence to justify the inclusion of Space Standards, or delete criterion 1(e) for being unsound and not consistent with national policy.**

2.7 In terms of part b of the question, it is not considered that the policy needs to encourage the use of Design Codes and of the Design Review Panel. The design

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<sup>2</sup> 56-002-20160519

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code process can be a time-consuming one and would only be necessary for particularly large or complex schemes. In such cases, it can be expected that the applicant would engage in detailed pre-application discussions with the Councils, likely guided by a planning performance agreement in line with paragraph 46 of the NPPF. Any need to provide additional design information, such as Design Codes, could be agreed through this process.

2.8 In answer to part c, criterion 1(f) is not considered to be consistent with Policy LP06. As stated in our Matter 5 Hearing Statement, PHL has concerns regarding the 50% requirement for Part M4(2) compliant dwellings that is stated in Policy LP06. Criterion 1(f) of Policy LP26 on the other hand takes a more flexible approach, making it clear that the M4(2) standards will only be required 'where relevant and necessary'. This is considered to be a more suitable approach to take.

2.9 In answer to part d, it is not considered to be clear when criterion 2(k) of Policy LP26 would apply. The policy wording does not clarify whether the requirement applies to all types of residential development or only those developments specifically aimed at meeting the needs of those with dementia. The criterion states 'where appropriate' but does not go on to clarify when this would actually be required.