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31/01/2024

To whom it may concern,

RE: Eagle Quarter II, Newbury (Application Ref: 23/02094/FULMAJ)

This note has been prepared by Environmental Economics Limited in response to the West Berkshire Council's Environments Team's comments received on the 6th December 2023 for application ref: 23/02094/FULMAJ.

BREEAM and Renewable Energy Comments**Officer Comment**

- *Why hasn't an Office or Healthcare assessment been carried out? These building types are detailed in the current proposals (page 6 of the Planning Statement). The BREEAM Assessment states that construction will be completed as fully fitted.*

BREEAM assessment states 'The proposed development includes multiple buildings with different uses. This BREEAM Pre-Assessment focuses on the retail units, to be completed to Fully Fitted.' Why is this? All non-residential elements should comply with BREEAM under the appropriate building type as detailed within the BREEAM Manual. This means that there may be a need for multiple BREEAM Assessments depending on the use/building type. This is the case in relation to this development. Please address.

Response

BREEAM pre-assessments have been undertaken for the relevant planning use classes: retail, offices and healthcare. These pre-assessments are based on a fully fitted scope, which was agreed with Lochailort but may change during detailed design depending on the main contractor's fit-out scope.

Officer Comment

- *Point of note. As the development is at RIBA Stage 2, please confirm that early action credits have been (under RIBA 0/1) or are currently being addressed (under RIBA 2) e.g. Land Use and Ecology. The BREEAM Assessor will know that failure to address early action credits (with associated evidence) will mean that these credits can no longer be targeted going forward. Please discuss with the BREEAM Assessor or AP on the project.*

Response

New preassessments have been provided not targeting any RIBA stage 0/1 credits.

Officer Comment

- Please revisit the credits targeted in the BREEAM Assessment – there are some mistakes. i.e. under Man 01 BREEAM AP (Developed Design), criteria 8&9 need to be achieved (pre requisite BREEAM AP and BREEAM AP Concept Design). Currently the BREEAM AP Concept Design credits is not targeted which means you can't target the 1 credit under BREEAM (Developed Design). Please discuss with the projects BREEAM Assessor and check all targeted BREEAM credits and criteria for accuracy. Mistakes will lead to the target score of 72.51% not being achieved and could risk the Excellent rating.

Response

New preassessments have been provided not targeting these credits.

Sustainability and Energy Assessment

Officer Comments

It is unclear if the current figure of 48% includes regulated and unregulated energy and is the total for both the residential and non-residential elements of the development. The total % reduction figure should include regulated and unregulated energy for both the residential and non-residential elements of the development. Clear calculations (ideally in a table format) should be included to demonstrate how % reduction to Zero Carbon has been achieved from the baseline.

Response

Please see the table below, which includes both regulated and non-regulated carbon.

Emissions	Domestic Regulated (tonnes CO ₂ per annum)	Domestic Non-regulated (tonnes CO ₂ per annum)	Non-Domestic Regulated (tonnes CO ₂ per annum)	Non-Domestic Non-regulated (tonnes CO ₂ per annum)	Total (tonnes CO ₂ per annum)
Baseline Case	389.23	183.46	37.08	10.28	620.1
Proposed Development	113.23	183.46	17.49	10.28	324.5
				Reduction	48%

Officer Comments

We disagree with this and require Zero Carbon to be achieved for the development.. Please update the Sustainability and Energy Assessment to demonstrate how Zero Carbon has been achieved.

Response

The West Berkshire Core Strategy was adopted in July 2012. The Strategy includes Policy CS15 which sets minimum standards based on the now defunct Code for Sustainable Homes (withdrawn 26 March 2015), and a longer term requirement to achieve Zero Carbon, caveated by footnote 74 which confirms "Requirements for zero carbon in line with stated Government aspiration, which may be subject to change." Paragraph 5.101 for Policy CS15 further confirms "This policy may be revised and updated periodically, for example to reflect changing national guidance or changing circumstances."



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Government Statements

In the ensuing years the UK government has twice provided written statements confirming revised “aspiration” and confirmed that the requirement for English energy conservation and Carbon emissions targets are contained within Building Regulations. To this end, since 2012, Approved Document L (the vehicle for delivering energy conservation) has been updated twice, with a third revision (Future Homes Standard) due in 2025.

This provides a clear pathway for the industry and allows supply chains to innovate and gear up to supply such products and services which may be required to support these improving standards. Upskilling the installer networks for innovative products takes significant investment and training. Pushing standards forward too fast can result in the poor outcomes, as was seen when air source heat pumps were adopted as part of the package of solutions for Code Level 4. Poor quality installations due to lack of installer knowledge led householders (many of whom were social housing tenants) exposed to very high running costs.

As noted in the submitted Energy and Sustainability Statement, the Government written ministerial statement (March 2015) made clear that Local Authorities could continue to require higher than Building Regulations standards for energy efficiency, in expectation of the zero carbon standard, as long as they did not exceed the Code level 4 (25% uplift over Part L 2010).

The recent Government's written statement¹ (13 December 2023) confirms:

*The improvement in standards already in force, alongside the ones which are due in 2025, demonstrates the Government's commitment to ensuring new properties have a much lower impact on the environment in the future. **In this context, the Government does not expect plan-makers to set local energy efficiency standards for buildings that go beyond current or planned buildings regulations.** The proliferation of multiple, local standards by local authority area can add further costs to building new homes by adding complexity and undermining economies of scale. Any planning policies that propose local energy efficiency standards for buildings that go beyond current or planned buildings regulation should be rejected at examination if they do not have a well-reasoned and robustly costed rationale that ensures:*

- *That development remains viable, and the impact on housing supply and affordability is considered in accordance with the National Planning Policy Framework.*
- *The additional requirement is expressed as a percentage uplift of a dwelling's Target Emissions Rate (TER) calculated using a specified version of the Standard Assessment Procedure (SAP).¹*

¹ <https://questions-statements.parliament.uk/written-statements/detail/2023-12-13/hlws120>



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Conclusions

1. National policy has changed considerably since the West Berkshire Core Policy was adopted. Policy CS15 confirms that it should be revised to reflect national policy. This has not occurred and so the policy is moot.
2. The Government written statement (above) does allow some opportunity for higher local standards, as given in the preceding bullet points. The written statement requires such policies to be supported by “a well-reasoned and robustly costed rationale”. Higher standard not supported by such documents will be rejected at examination. We would question if a policy adopted in 2012 can meet these requirements, or if such supporting documents are available.

We conclude by proposing that the current planning application includes adequate, compliant proposals for energy efficiency that are a result of excellent fabric efficiency and the utilisation of low or zero carbon energy systems, resulting in a 48% reduction in Carbon emissions. The proposed development is therefore considered acceptable from a sustainability perspective.

Regards,

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