

CABINET – 6TH JUNE 2019

ITEM 5 QUESTIONS UNDER CABINET PROCEDURE 10.7

Mr M. Hunt – Low Carbon Heating Systems in New Developments

Noting that the Chancellor has directed that no gas heating boilers should be installed in new developments from 2025 and further noting that current large scale developments in the Borough are likely to extend beyond that date, does the authority have powers in law or by planning conditions to require low carbon heating systems earlier in current long term developments, such as West of Loughborough, or future developments prior to 2025?

The Leader, or his nominee, will respond:

The Chancellor's Spring Statement 13th March 2018 indicated that the Government will introduce a Future Homes Standard, mandating the end of fossil-fuel heating systems in all new houses from 2025. There is currently no information about the means by which this Future Homes Standard will be introduced, although if it is a mandatory requirement, it is likely to be through The Building Regulations rather than through the planning system.

The Authority does not have any powers in law to require low carbon heating systems irrespective of the size of development. Planning conditions can be imposed where they meet certain legal tests, one of which is that a condition is 'reasonable', and in this regard, it is important to have regard to the Development Plan. Policy CS16 encourages "developments to, where viable, exceed Building Regulations for carbon emissions by prioritising measures that reduce the need for energy and secure residual need for energy through low carbon or renewable resources".

This is reflected in the policy approach for West of Loughborough Urban Extension outlined in Policy CS22 of the Charnwood Local Plan Core Strategy (2011 – 2028) is to "[encourage] development to, where viable, exceed Building Regulations for carbon emissions".

The authority can support developments to exceed requirements of Building Regulations but in doing so it would have to balance against the viability implications for other policy requirements such as affordable housing or infrastructure provision.