



Town and Country Planning Association
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21 February 2024

The Rt Hon Michael Gove MP
Secretary of State for Levelling Up, Housing and Communities
Sent by email

cc. Joanna Averley, Chief Planner

Dear Secretary of State

The signatories of this letter share a common goal of delivering the government's statutory carbon reduction targets. Together we represent a group of local authorities, businesses and NGOs at the cutting edge of delivering net zero homes and communities. Many of the signatories of this letter have collectively developed and supported an innovative approach to building standards that achieves energy efficient, net zero buildings (defined in a way that addresses total energy use in a building and aligns with climate targets), that dramatically reduce energy demand and costs for future residents. This approach is backed by cross-industry support and evidence demonstrating the viability and deliverability of these standards.

All of this innovative work is now threatened by the government's decision to restrict the ability of local authorities to set energy performance standards other than through the limited approach of a Target Emissions Rate (TER), measured through the Standard Assessment Procedure (SAP). These restrictions were set out in the [Written Ministerial Statement](#) (WMS) published on 13 December 2023. As far as we are aware, this statement was published without any discussion with local authorities or any form of public consultation.

The WMS contains a number of clear factual errors including the assertion that local authorities are adopting a confusing array of differing standards. This is entirely false. Local authorities have been working collaboratively to establish consistent policies using absolute energy metrics, based on LETI published guidance. This policy approach

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achieves more energy efficient buildings and avoids the 'performance gap' of SAP calculations, which [the government has recognised](#).

Standards for net zero homes and buildings expressed using energy metrics have been adopted as local plan policy requirements in Bath and North East Somerset, Cornwall and Central Lincolnshire, and many more are hoping to achieve the same standards for new homes.

The measures in the WMS are unnecessarily draconian and will have a severe impact on the many local authorities who have invested significant sums to develop much more effective energy performance standards in local policy. Until Building Regulations universally achieve net zero buildings,¹ local authorities must be able to adopt policies that secure net zero homes in line with the obligations placed upon them by the *Levelling Up and Regeneration Act 2023* and through the powers conveyed upon them in the *Planning and Energy Act 2008*.

We most strongly urge government to clarify the policy in the WMS by making clear that local planning authorities can adopt standards in local plans which utilise absolute energy metrics and go beyond current and future Building Regulations so long as such policy is robustly evidenced and viable. Government must not prescribe approaches which both undermine their own carbon reduction targets and prevent the innovation in policy and technology which this nation urgently needs to tackle the climate crisis.

The TCPA, along with a delegation of Local Planning Authorities, would welcome the opportunity to meet with DLUHC. This would provide an opportunity to discuss the challenge presented by the WMS and explore a way forward that enables planning authorities to establish policies designed to increase housing supply, support net zero targets and reduce energy bills.

Yours sincerely

Fiona Howie
Chief Executive
Town and Country Planning Association

The following organisations and local authorities are also co-signatories to this letter:

Organisations

Brigitte Clements, Strategic Lead, **ACAN (Architects Climate Action Network)**

Sue Riddlestone OBE, Chief Executive and co-founder, **Bioregional**

¹ Defined as buildings that address total energy use in a building and align with climate targets.

Paul Miner, Head of Campaigns and Policy, **Campaign to Protect Rural England** (CPRE)

Isaac Beevor, Partnerships Director, **Climate Emergency UK**

Dan Stone, Policy and Influencing Officer, **Centre for Sustainable Energy**

Thomas Lefevre, Director, **Etude**

Magnus Gallie MRTPI, Senior Planner, **Friends of the Earth**

Lynne Sullivan OBE, Chair, **Good Homes Alliance**

Leani Hairn, Planning Director, **ONH**

Jon Bootland, CEO, **Passivhaus Trust**

Dr Naomi Luhde-Thompson, Director, **Rights: Community: Action**

Philip Haile, Trustee, **Transition Bath**

Local authorities

Councillor Dr Richard Moore, Cabinet Member for Strategic Planning, Infrastructure & Planning Enforcement, **Basildon Council**

Councillor Andy Konieczko, Cabinet Member for Strategic Planning and Infrastructure, **Basingstoke and Deane Borough Council**

Sophie Broadfield, Executive Director, Sustainable Communities, **Bath and North East Somerset Council**

Councillor John Cotton, Leader of the Council and Councillor Majid Mahmood, Cabinet Member for Environment, **Birmingham City Council**

Andrew Hunter, Executive Director Place Planning and Regeneration, **Bracknell Forest Council**

Councillor Richard Wright, Chairman, **Central Lincolnshire Joint Strategic Planning Committee**

Kieron Manning, Assistant Director, Planning and Services, **City of Lincoln**

Councillor Andrea Luxford Vaughan, Portfolio Holder for Planning, Environment and Sustainability, **Colchester City Council**

Councillor Juliet Layton, Cabinet Member for Planning and Regulatory Services,
Cotswold District Council

Jennifer Peters, Assistant Director for Planning, Design and Sustainability, **Ealing Council**

Councillor Angela Glass, Portfolio Holder for Regulation & Enforcement, **East Hampshire District Council**

Councillor Kay Yule, Cabinet Member for Planning and Coastal Management, **East Suffolk Council**

Nigel Richardson, Director of Planning Services, **Epping Forest District Council**

Emma Goodings, Chair of **Essex Planning Officers Association**, on behalf of the Chief Planners from 15 Local Authorities in Essex:

- **Basildon Council**
- **Braintree District Council**
- **Brentwood Council**
- **Castle Point Borough Council**
- **Chelmsford City Council**
- **Colchester City Council**
- **Epping Forest District Council**
- **Essex County Council**
- **Harlow Council**
- **Maldon District Council**
- **Rochford Council**
- **Southend-on-Sea City Council**
- **Tendring District Council**
- **Thurrock Council**
- **Uttlesford District Council**

Emma Chisnall, Acting Climate Change and Sustainability Lead Officer, **Havant Borough Council**

Councillor Carole Jones, Portfolio holder Planning & Museums, **Ipswich Borough Council**

Councillor Helen Hayden, Executive Member for Sustainable Development and Infrastructure, **Leeds City Council**

Councillor Colin Davie, Executive Councillor for Economic Development, Environment and Planning, **Lincolnshire County Council**

Councillor Danny Beales, Cabinet Member for New Homes, Jobs and Community Investment, **London Borough of Camden**

Councillor Danny Adilypour, Deputy Leader and Cabinet Member for Sustainable Growth and New Homes, **London Borough of Lambeth**

Paul Moore, Interim Director of Place, **London Borough of Richmond upon Thames**

Councillor Ahsan Khan, Deputy Leader and Housing and Regeneration portfolio holder, **London Borough of Waltham Forest**

Sue Frost, Director Sustainable Development, **Luton Council**

Councillor Eggleston, Council Leader and Councillor Gibson, Cabinet Member for Sustainability, **Mid Sussex District Council**

Councillor Richard Wright, Council Leader, **North Kesteven District Council**

Councillor David Brackenbury, Executive Member for Growth and Regeneration, **North Northamptonshire Council**

Councillor Mark Canniford, Portfolio Holder for Spatial Planning, Placemaking and Economy, **North Somerset Council**

Councillor Derek Bastiman, Executive Member for Open to Business, **North Yorkshire Council**

Councillor Tom Briars-Delve, Cabinet Member for Environment and Climate Change and Councillor Mark Coker, Cabinet Member for Strategic Planning and Transport, **Plymouth City Council**

Planning Policy Officers, **Reading Borough Council**

Councillor Paul Browne, Cabinet Portfolio Holder for Planning, Property and Economic Development, **Rutland County Council**

Councillor Eamonn Keogh, Cabinet Member for Environment and Transport, **Southampton City Council**

Patrick Conroy, Strategic Planning Policy and Specialist Advice Team Manager **South Gloucestershire Council**

Aidan Godfrey, Council Leader, **Stafford Borough Council**

Councillor Simon Speller, Portfolio Holder for Environment and Performance, **Stevenage Borough Council**

Gavin Chinniah, Head of Planning, **Surrey Heath Borough Council**

Joanne Johnson, Interim Head of Planning, **Swale Borough Council**

Councillor Trevor Young, Leader of the Council, **West Lindsey Council**

Chris Hargraves, Planning Policy Manager, **West Oxfordshire Council**

Councillor Gerald Kelly, Portfolio Holder for Governance, Regulatory and Environment,
West Suffolk Council

Councillor Jackie Porter, Cabinet Member for Place and the Local Plan, **Winchester City Council**

Trevor Saunders, Assistant Director, Planning (Interim), **Wokingham Borough Council**