

KNOWSLEY LOCAL PLAN: CORE STRATEGY

KNOWSLEY METROPOLITAN BOROUGH COUNCIL

HEARING STATEMENT 9

Matter 9 SUSTAINABILITY, DESIGN AND QUALITY OF NEW DEVELOPMENT

Issue: Whether the policies towards the sustainability, design and quality of built development are justified and consistent with national policy.

Questions

Housing size and design (CS 17)

9.1 Is the approach to a mix of dwelling sizes in policy CS 17 over-prescriptive and likely to represent a constraint on delivery of market housing?

9.1.1 The approach in policy CS17 seeks to ensure an appropriate mix of dwelling sizes across Knowsley. The policy refers to an indicative mix of sizes for new dwellings, which is based on the Council's evidence base and set out in KLPCS paragraphs 7.18–7.19 and table 7.1. Developers of larger residential schemes will be required to demonstrate how their development will contribute towards re-balancing the Knowsley housing market in terms of the size of dwellings provided (policy CS17 clause 2). Developers of smaller schemes will have to demonstrate that they have provided a mix of housing sizes to complement the overall mix available in the area (policy CS17 clause 3). Rather than being unnecessarily prescriptive regarding dwelling size, the policy places onus on the developer to demonstrate how their proposals will provide an appropriate mix of dwelling sizes. The policy seeks to maintain flexibility so that new residential development can respond to the particular characteristics of a development site, and does not necessarily need to comply with the mix set out in table 7.1. The policy wording is non-prescriptive and will not in the Council's view constrain the delivery of market housing.

9.1.2 The delivery of new homes in Knowsley, in terms of their size and other characteristics, will be monitored on at least an annual basis. This will enable the Council to understand whether the overall evidenced need for different sized dwellings is being met. The Council expects that the indicative size mix in table 7.1 will be updated in due course through the collation of new evidence regarding housing needs in Knowsley.

9.2 What is the justification for the policy CS 17 requirement that housing should comply with Building for Life (BfL) and Lifetime Homes standards? Is it correct to say that BfL standards are part of Government policy (CS 17 4a) and mandatory (paragraph 7.21)?

- 9.2.1 A key priority for the KLPCS is to deliver a well-balanced housing market in Knowsley which provides a mix of high quality sustainable homes. Well-designed residential development can also contribute towards improving health and well being, particularly for those requiring specialist housing. This is particularly important given Knowsley's ageing population, as set out in the Housing Market Update (section 5, page 21-28 (SD24)). With these priorities in mind, policy CS17 clause 4 incorporates requirements to meet some well-recognised aspects of contemporary design guidance. Building for Life is a government-endorsed standard applicable to new residential development in England. The incorporation of Lifetime Homes standards reflects a continuation of the Council's existing policy set out in UDP policy T10 and its supporting text.
- 9.2.2 It is considered that many elements of BfL and Lifetime Homes can be incorporated into new residential developments at the design phase, with minimum add-on or retrofitting costs. The Council's Economic Viability Assessment (EVA) (EB06) found that the cost of meeting both Lifetime Homes accreditation and Building for Life requirements in new development is likely to be much less significant than meeting other design standards, such as Code for Sustainable Homes. Reflecting this, the Council has included a requirement for all new residential development to comply with these standards in policy CS17. This issue is explored in further detail in response to Question 9.3.
- 9.2.3 Notwithstanding the above, the Council recognises that for some developments (particularly in areas where development viability is challenging), the cost of meeting Lifetime Homes and BfL standards may in conjunction with other requirements be sufficient to place the delivery of the development at risk. It is also recognised that there may be difficulty in establishing specific local evidence which would justify these standards being required in all cases. To reflect the need for some flexibility concerning this issue, the Council would be willing to consider the following modification to policy CS17.

Potential Main Modification*

Amend policy CS17 clause 4 to read:

"All new residential development in Knowsley will be ~~required~~ encouraged to comply with the following design standards (or equivalent replacement standard):

- a. ~~Building for Life Standards, in line with government policy;~~*
- b. ~~Lifetime Homes design criteria; [...]"~~*

NB further modifications to Policy CS17 are proposed in this Statement.

- 9.2.4 In addition to the potential modification described above, the Council has identified a need to update the supporting text to policy CS17, to reflect an updated version of the Building for Life initiative, referred to as "Building for

Life 12”, which was launched in 2013. The Council considers that the modification to paragraph 7.12 set out below may be required, to take account of these changes.

Potential Additional Modification*

Amend paragraph 7.21 to read:

“Building for Life: The Building for Life criteria represent the national standard for well-designed homes and neighbourhoods, as recognised by the Commission for Architecture and the Built Environment and the Home Builders Federation. The twenty Building for Life criteria are used in assessments of development schemes, which are then graded as “very good”, “good”, “average” or “poor”. Schemes scoring 14/20 or 15/20 are awarded a “silver standard”, whilst those scoring 16/20 or more receive a “gold standard”. Building for Life Awards are also given to exceptional schemes, awarded by a panel of judges. The Homes and Communities Agency has set out in its proposed core housing design and sustainability standards consultation plans to make achieving 14/20 of the Building for Life criteria mandatory. The Council supports Building for Life assessments and will apply at least the minimum mandatory national standards in this regard to all new residential development. Building for Life represents the industry standard for well-designed homes and neighbourhoods, endorsed by Government. In 2013, an updated Building for Life scheme was launched by the Home Builders Federation, Design for Homes and Cabi at the Design Council, known as “Building for Life 12”. This scheme includes twelve criteria which are rated for each development using a traffic light system. “Amber” and “red” outcomes indicate that the scheme will need to be changed, whilst a “green” outcome indicates that the criteria have been fully met. If it is agreed between the developer, stakeholders and the Council that all criteria have been met the scheme will be eligible for Building for Life 12 “Diamond status”. The Council supports the undertaking of Building for Life assessments and the meeting of all 12 criteria will be encouraged.”

9.3 Have the viability consequences of the design standards in clause 4 of policy CS 17 been properly taken into account, especially for developments in low value areas?

9.3.1 The EVA (EB06) considered in detail the viability impacts of introducing different design standards in Knowsley. This includes an assessment of the financial consequences of meeting the requirements for developments of different types, sizes and locations. These costs were isolated as additional items to standard build costs for new homes. The EVA demonstrated (paragraphs 8.4.10–8.4.23, pages 219-224 (EB06)) that expected costs of achieving the standards were as follows (expressed as a range, dependent on the size of development):

- Code for Sustainable Homes: Level 3 (£30-47/sqm) Level 4 (£46-71/sqm) Level 5 (£169-261/sqm) Level 6 (£231-356/sqm)
- Building for Life and Lifetime Homes (combined) (£46-71/sqm)

- Specific design guidance in Policy CS19: Low (£16-24/sqm) Medium (£31-49/sqm) and High (£47-97/sqm).

- 9.3.2 This evidence indicates that the costs of achieving Code for Sustainable Homes above Level 3 and 4 were substantially higher than those associated with Building for Life, Lifetime Homes and the requirements of policy CS19. Policy CS22 of the submission version KLPCS (which is cross referred to in policy CS17) dealt with this by using the phrase “encourage” in relation to Code for Sustainable Homes, recognising that the levels of the Code stated in the policy could be challenging to meet in some cases. In response to Question 9.2, the Council has now recognised that this may also be an appropriate way of dealing with previous requirements to meet BfL and Lifetime Homes standards and would be willing to consider a potential modification to reflect this (see above in response to Question 9.2). The Council considers that if this modification is made, then policy CS17, insofar as it deals with BfL and Lifetime Homes standards, will reflect any potential risk that requiring these standards to be met in full would place on development. This would incorporate significantly more flexibility into this policy.
- 9.3.3 In considering the costs of compliance with policy CS17 it is also relevant to consider the flexibility that is built into other KLPCS policies, such as policy CS19. The EVA evidence assesses the costs of complying with policy CS19 as being additional to those of baseline construction and of meeting other KLPCS requirements. Although the EVA concluded that the costs to development of meeting design standards, whether applied at a “low”, “medium” or “high” level were again low in comparison to the Code for Sustainable Homes higher levels, the wording of the criteria in policy CS19 (e.g. in clause 1) include an element of flexibility in their interpretation. The Council expects that if developers of residential schemes consider that they will be unable to meet the requirements of policy CS19, that they will provide evidence as to why (and the Council accepts that this evidence may be based on viability grounds as well as the nature of the development).
- 9.3.4 The Council is willing to consider changing its approach to Code for Sustainable Homes requirements to reflect amendments proposed at the national level to prescribed standards for energy efficiency and Building Regulations (Part L). This is discussed in further detail in relation to Question 9.4 below.
- 9.3.5 Overall, following the proposed modifications set out in this statement, and the flexibility built into policy CS19, the Council considers that the approach to residential design policy within the KLPCS is flexible enough to ensure that development will not be placed at risk even in the lowest value areas through the application of policy CS17.

9.4 In light of imminent changes to national housing standards, as announced by DCLG in a recent consultation¹, is policy CS 17 adequately “future-proofed”?

9.4.1 Policies CS17 and CS22 were drafted prior to the publication of the CLG consultation documents on national housing standards. In drafting these policies the Council had regard to the advice in the NPPF (para 95) that any requirements which are set locally for building sustainability should be consistent with the Government’s zero carbon policy and use nationally described standards.

9.4.2 Whilst it was the Council’s intention to meet the requirements of the NPPF to ensure new development supports a low carbon future, it is now clear that Government thinking in this area has developed further since submission of the KLPCS in July 2013. Subject to the outcomes of the recent consultation the government intends to replace the Code for Sustainable Homes with updates to Building Regulations. To account for these national changes the Council would consider potential modifications to policy CS17 and its supporting text to remove reference to the Code for Sustainable Homes, as set out below. Modifications to policy CS22 as set out below in relation to Question 9.7 will also be considered.

Potential Main Modification*

Amend policy CS17 clause 4 to read:

“All new residential development in Knowsley will be ~~required~~ encouraged to comply with the following design standards (or equivalent replacement standard):

- a. ~~Building for Life Standards, in line with government policy;~~*
- b. ~~Lifetime Homes design criteria;~~*
- c. ~~Code for Sustainable Homes standards, as set out in Policy CS22 ‘Sustainable and Low Carbon Development’;~~*
- d. Specific design and sustainability guidance in Policy CS19 ‘Design Quality and Accessibility in New Development’, Policy CS22: Sustainable and Low Carbon Development and relevant Supplementary Planning Documents⁽¹²¹⁾”*

¹²¹*including Design Quality in New Development Supplementary Planning Document, Greenspace Standards and New Development, Sustainability in Design and Construction Supplementary Planning Document, and Householder Developments Supplementary Planning Document.”*

NB. This proposed modification would involve policy CS17 clause 4d being renamed as clause 4c. This text includes modifications to Policy CS17 Clause 4 and part a) proposed earlier in this Statement.

¹<https://www.gov.uk/government/consultations/housing-standards-review-consultation>

Potential Additional Modification*

Amend paragraph 7.23 to read:

~~“Code for Sustainable Homes: The Code for Sustainable Homes (the Code) is the national standard for the sustainable design and construction of new homes, which measure the sustainability of a new home against nine categories of sustainable design⁽¹²⁶⁾. Further information about the application of the Code in Knowsley can be found in Policy CS 22 'Sustainable and Low Carbon Development'.~~

~~Footnote 126 Available to view online at~~

~~<http://www.communities.gov.uk/planningandbuilding/sustainability/codesustainablehomes/>~~

Design Quality (CS 19)

9.5 Does clause 3 of policy CS 19 require all new development to address flood risk mitigation and, if so, is this necessary and consistent with national policy?

9.5.1 The Council believes that policy CS19 clause 3 is sound as all developments are required to include appropriate measures to mitigate any flood risk issues affecting the proposal by policy CS24. This policy sets out criteria which differentiate the requirements relating to areas of medium to high flood risk compared to those areas of low probability. Clause 5 of policy CS24 relating to surface water drainage applies to most types of built new development.

9.5.2 Notwithstanding the points set out above, the Council would be willing to consider the following modification to policy CS19 to assist the read across between the two policies.

Potential Main Modification*

Amend policy CS19 clause 3c to read:

~~“[...] Flood risk mitigation (in accordance with policy CS 24) [...];”~~

9.6 Should policy CS 19 include a reference to the need to address mining legacy issues?

9.6.1 The Council considers that the approach to the issue of mining legacy is sound, as it is more appropriately addressed as a development principle in policy CS2 principle 4 clauses (i) and (j), rather than one of the design criteria in policy CS19.

Sustainable and Low Carbon Development (CS 22)**9.7 In light of imminent changes to national housing standards, as announced by DCLG in a recent consultation², is policy CS 22 adequately “future-proofed”?**

9.7.1 As explained in the response to question 9.5 above, the KLPCS was submitted before the CLG ‘Housing Standards Review’ consultation and associated proposals to abolish the Code for Sustainable Homes and update Part L of the Building Regulations were published. Whilst the approach in the KLPCS had regard to the NPPF, it is now clear that the Government's proposed policy changes are likely to require a revised approach to this issue.

9.7.2 To account for these national changes the Council would consider modifications to policy CS22 and its supporting text. These would remove reference to the Code for Sustainable Homes and make it clear that any contributions to a future Community Energy Fund would be optional for developers, as part of the Allowable Solutions mechanism proposed by the Government.

9.7.3 These potential modifications reflect those proposed due to the same issue for policy CS17.

Potential Main Modification*

Amend policy CS22 clause 2 to read:

“2. Government targets for carbon reduction in new development are expected to be implemented through updates to the Buildings Regulations. Where it is not technically feasible or economically viable to meet the requirements on site, contributions to the Council’s Community Energy Fund may be accepted as part one of a range of options under the Government’s proposed “Allowable Solutions” mechanism. The Fund will be used to support carbon reduction initiatives in Knowsley and potentially the wider Liverpool City Region.”

Amend policy CS22 clause 3 to read:

~~“3. New residential development granted permission between the dates set out below will be encouraged to meet the following Code for Sustainable Homes levels (including aspects of the Code standards which are not covered by Building Regulations):~~

~~a. Between 2013 and 2016 - Level 4; and~~

~~b. After 2016 - Level 5 (equating to “zero carbon” development).”~~

²As above

Amend policy CS22 clause 4 to read:

~~“4. New non-residential development granted permissions between the dates set out below will be encouraged to meet the following Building Research Environmental Assessment Methodology (BREEAM) ratings (including aspects of the ratings which are not covered by the Building Regulations):~~

- ~~a. Up to 2019 – “Very good”; and
b. After 2019 – “Excellent”.~~

Amend policy CS22 clause 5 to read:

~~“5. Relaxations to the standards set out in 3 and 4 above may be allowed where the applicant demonstrates it is not feasible to meet the prescribed standards.”~~

NB. These proposed modifications would result in the renumbering of subsequent clauses within Policy CS22.

9.8 Clauses 3 and 4 of policy CS 22 “encourage” rather than require the meeting of sustainable construction standards, so is it necessary for applicants to demonstrate any non-compliance with these standards, especially in light of the findings of the viability study? Why is “viability” not included in clause 5 of the policy (as it is in clause 7)?

9.8.1 As set out above in response to Question 9.7, the Council would be willing to consider modifying policy CS22 to remove reference to the Code for Sustainable Homes and BREEAM. Therefore the Council is also happy to consider removing clause 5 of the policy (which relates to the implementation of the standards).

9.9 Does clause 7 of policy CS 22 apply borough-wide or only in Priority Zones? How will a “major development proposal” be defined – is there sufficient clarity in the KLPCS? Is the requirement to include decentralised renewable and low carbon energy systems (if viable and feasible) consistent with national policy?

Clause 7 and identification of Priority Zones

9.9.1 The Council intends to apply clause 7 of policy CS22 across the whole Borough, subject to technical feasibility and economic viability. It intends to apply the additional requirements in clause 8 only to the Priority Zone (PZ) at Knowsley Industrial and Business Parks.

9.9.2 Evidence justifying the identification of Knowsley Industrial and Business Parks as a Priority Zone is in the Liverpool City Region Renewable Energy Capacity Study – Stage 1 (LC01) and Stage 2 (LC02), Delivering a New Future for Knowsley Industrial Park – Strategic Framework (EB17), Knowsley Industrial Park Energy Network Feasibility Study (EB18) and Knowsley

Renewable and Low Carbon Energy Options Study (EB19). In summary these evidence base studies identify the opportunity for decentralised energy systems within the Priority Zone based on an existing concentration of high energy and/or heat users and an existing consent for an Energy from Waste (EfW) facility³.

- 9.9.3 The Knowsley Industrial Park Energy Network Feasibility Study (EB18) includes a techno-economic assessment which determined that the development of a decentralised energy infrastructure within the Priority Zone to provide low carbon energy would be commercially viable.

Consistency of decentralised energy requirements with national policy

- 9.9.4 A significant amount of Government legislation and policy supports the approach to this issue in policy CS22. For example, the Planning Act 2008 emphasises the need to diversify the UK's energy supply and the role that renewable and low carbon energy generation must play in this context.
- 9.9.5 The NPPF (at paragraphs 95 and 96) states that LPAs should '*...plan for new development in locations and ways which reduce greenhouse gas emissions*'. Additionally, at paragraph 96 there is support for KLPCS requirements for decentralised energy supply, subject to feasibility and viability. Policy CS22 clause 7 is therefore justified and consistent with national policy.
- 9.9.6 The Council would be happy to consider the modification set out under paragraph 9.9.10 below to clarify that this clause applies on a borough-wide basis.

Major Development Proposals

- 9.9.7 There are no specific thresholds at which decentralised energy systems become economically viable and deliverable, as viability is generally dependant upon the type of scheme.
- 9.9.8 However, it is the Council's intention that the reference to 'major development proposals' in policy CS22 (clause 7) should be consistent with that identified in article 2(1) of the Town and Council Planning (Development Management Procedure) (England) Order 2010 which states that such developments involve the following:
- The provision of dwelling houses where –
 - the number of houses to be provided is 10 or more; or
 - The development is to be carried out on a site having an area of 0.5 hectares or more;
 - Building or buildings where the floor space to be created by the development is 1,000 square meters or more; or
 - Development carried out on a site having an area of 1 hectare or more.

³ Planning application 08/00474/FUL

9.9.9 Defining ‘major development proposals’ in this way will give certainty to potential developers via the adoption of an already recognised definition and also exclude smaller scale schemes from the unnecessary burden of applying this policy when this type of technology is unlikely to be technically feasible or economically viable.

9.9.10 In order to clarify this matter the Council would consider a modification to policy CS22 clause 7 and to Appendix A: Glossary.

Potential Main Modification*

Amend policy CS22 clause 7 to read:

“Priority Zones and Decentralised Energy Networks

7. Where technically feasible and economically viable, all major development proposals^{Footnote} in Knowsley will be required to include decentralised renewable and low carbon energy systems.”

Footnote: As defined by article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2010”

Potential Additional Modification*

Amend Appendix A to read:

(between Locally Listed Buildings and Main Town Centre Uses)

“Major Development Proposals

Developments that involve the following:

- The provision of dwelling houses where –
 - The number of houses to be provided is 10 or more; or
 - The development is to be carried out on a site having an area of 0.5 hectares or more
- Building of buildings where the floor space to be created by the development is 1,000 square meters or more; or
- Development carried out on a site having an area of 1 hectare or more.

As set out in article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2010.”

9.10 Is it appropriate for the detailed requirements mentioned in clause 10 of policy CS 22 to be set out in Supplementary Planning Documents rather than a part of the Local Plan that is subject to examination?

9.10.1 It was the Council's intention to address detailed matters such as the Charging Mechanism for the Community Energy Fund within a future SPD. However, in light of the Government's recently published consultations (as outlined at Question 9.4 and 9.7) it is apparent that this guidance is likely to be delivered nationally.

9.10.2 Therefore the Council would consider a modification to policy CS22 to remove clause 10.

Potential Main Modification*

Amend policy CS22 clause 10 to read:

~~"10. Developers must demonstrate compliance with the requirements of this policy through documents submitted with planning applications. Further details on all the requirements, including the charging mechanism for the Community Energy Fund, will be outlined in the Sustainability in Design and Construction Supplementary Planning Document, Developer Contributions Supplementary Planning Document and/or Community Infrastructure Levy Charging Schedule."~~

9.10.3 To be consistent with the range of potential modifications outlined in this statement the Council would also consider a modification to the supporting text for policy CS22 (paragraphs 9.7-10 and 9.14-16).

Potential Additional Modification*

Amend paragraphs 9.7-10 and 9.14-9.16 to read:

~~"9.7 The Government launched a 'Housing Standards Review' consultation in August 2013 which seeks views on ways to reduce the degree of variation in housing design guidance, codes and standards at the local level. Many of these design aspects are expected to be covered by future updates to Building Regulations (subject to the outcome of the current consultation). Depending on the outcome of this the Council will either completely rely on Building Regulations to deliver sustainable design or (where compatible with the Government's approach) consider the need for some aspects to be defined by local policies in the Local Plan: Site Allocations and Development Policies. Any local policies which are developed are likely to relate to aspects of design which are not covered by the Building Regulations. While the Council acknowledges that improvements in construction quality and energy efficiency will be made through proposed updates to the Building Regulations, it is considered appropriate that developers should also consider the need for wider sustainable development measures. Therefore, Policy CS 22 encourages new developments to meet sustainable design and construction targets, expressed in the context of the Code for Sustainable Homes for residential development, and Building Research Establishments Environmental Assessment Methodology (BREEAM) ratings for other types of development. These nationally recognised standards encourage new developments to achieve high standards of environmental performance which: minimise levels of energy and water consumption; minimise the environmental impact arising from generation of waste, surface water run-off, and~~

~~pollution; encourage the use of recycled materials and sustainable construction management; and minimise impacts on ecology and occupant health and wellbeing.~~

~~9.8 The elements of the national standards outlined in Policy CS 22 which relate to energy efficiency are consistent with standards which will be required by proposed revisions to Buildings Regulations (Part L) in 2013, 2016 and 2019. Developers will be required to comply with the Building Regulations as a minimum. The Council also wishes to encourage developers to meet those aspects of the Code for Sustainable Homes and BREEAM standards which do not relate to energy use, and are therefore excluded from the currently proposed changes to the Building Regulations. Policy CS 22 will complement future updates to the Building Regulations and be consistent with the Council's powers under the Climate Change Act. If the Code for Sustainable Homes or BREEAM are replaced by other national assessment methods, Policy CS 22 will encourage development to meet the new equivalent standards.~~

~~9.9 To increase the level of renewable and low carbon energy generated, national policy allows, where viability can be demonstrated, the setting of phased authority-wide targets for the reduction of carbon emissions. At present, the Council assumes that the changes to Building Regulations will proceed as planned. If there is a significant change in the direction of government policy the Council may seek to implement a local and/or location specific target(s) for carbon reduction.~~

~~9.10 The Merseyside and Halton Joint Waste Local Plan⁽¹⁴³⁾ (at Policy WM10) proposes that specific the BREEAM targets will also apply to proposals for waste management usesfacilities.~~

Community Energy Fund

~~9.14 The Council's "Community Energy Fund" willmay be used to deliver a range of carbon reduction projects. Developers who are unable to meet the proposed targets for "zero carbon" development through on site measures in line with the Building Regulations have the option may be able to make contributions to the fund as one of a range of options under the Government's proposed "Allowable Solutions" mechanism. The scale of contributions to the Fund which are required will have regard to the economic viability of the development proposed, in accordance with in Policy CS 27 'Planning and Paying for New Infrastructure'. A subsequent planning document will outline the scale of contributions required and a schedule of schemes supported by the Council and its partners. This may be the proposed Sustainability in Design and Construction SPD; Developer Contributions SPD and/or CIL Charging Schedule.~~

~~9.15 The Government has at the time of writing yet to publish detailed national guidance identifying the precise scope of the Allowable Solutions mechanism, how contributions through this may be made and what the relationship is with the Community Infrastructure Levy regime (see Policy CS 27). If the Government decides that Allowable Solutions fall within the remit of the Community Infrastructure Levy legislation, and the Council decides to implement a CIL in Knowsley, the Community Energy Fund is likely to be incorporated into the Council's CIL Charging Schedule.~~

~~9.16 Developers will, with some exceptions for example for minor developments, be expected to demonstrate compliance with Policy CS 22 through details submitted with planning applications, which may be within an energy statement or as part of other submitted documents."~~

NB. These proposed modifications would result in the renumbering of paragraphs of supporting text for Policy CS22.

***Note regarding modifications process**

The suggested potential modifications to the KLPCS set out in this statement are put forward to assist the consideration of this matter at the hearing sessions. These and any other potential modifications would need to be approved by the Council's Cabinet and undergo formal public consultation before being considered for inclusion in any version of the KLPCS which is finally adopted.