

# **Warwick District Council**

## **Local Plan Examination**

### **Response to Inspector's Matters and Issues**

#### **Matter 13 – Other Policies**

##### **Climate Change**

- Policy CC1 – Planning for Climate Change Adaptation
- Policy CC2 – Planning for Renewable Energy and Low Carbon Generation
- Policy CC3 – Buildings Standards Requirements

##### **Issue**

Whether other policies are justified, effective and consistent with national policy

**October 2016**

## Policy CC1 – Planning for Climate Change Adaptation

### 1. What is the basis for the policy? What is it seeking to achieve?

- a) The policy ensures that new development remains resilient to the impacts of a changing climate and outlines the way in which developers and applicants can assure they are addressing these issues by using the criteria as a checklist against their proposals.
- b) It should be noted that the Council has proposed some modifications to this Policy in document LP21, submitted alongside the Local Plan in 2015. These modifications seeks to address representations received regarding the contribution of tree planting and to take account of other factors which could contribute towards minimising vulnerability to climate changes

### 2. How does the policy relate to the evidence base?

- a) The policy is consistent with the evidence base, in particular the recommendations of the Climate Change Adaptation Study (CC02), the Water Cycle Study (FW01) and the Green Infrastructure Study (G01). One of the key recommendations of the Climate Change Adaptation Study is to 'Develop a planning policy on climate change adaptation and supporting guidance which ensures that new developments in the district are designed to be resilient to and minimise the negative impacts of climate change.

### 3. Is the policy sufficiently clear? Will it provide sufficient guidance for decision making?

- a) Yes. In addition, the Council will provide more detail on suitable adaptation measures in a review and update of the Sustainable Buildings Supplementary Planning Document.
- b) Decision makers will assess the climate change credentials of the application details against this policy

### 4. How will the policy be implemented? Is this clear?

- a) Applicants will be expected to demonstrate how the requirements of the policy have been met in a Sustainable Buildings Statement submitted with the planning application.

### 5. How does the policy relate to national policy? How is it consistent? Are there any inconsistencies?

- a) This policy is consistent with national policy. In particular:
  - i. Paragraph 93 of the NPPF states: 'Planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change .... This is central to the economic, social and environmental dimensions of sustainable development.'
  - ii. Paragraph 94 states: 'Local planning authorities should adopt proactive strategies to mitigate and adapt to climate change .....
  - iii. Paragraph 99 states: 'Local Plans should take account of climate change over the longer term ..... New development should be planned to avoid increases vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures .....

### 6. In overall terms is the policy justified, effective and consistent with national policy?

- a) Yes in order to address the shortfall in national policy the policy requires additional criteria to be met without being over prescriptive or reducing viability and giving certainty to

applicants in terms of what is expected when submitting a planning application

## Policy CC2 – Planning for Renewable Energy and Low Carbon Generation

### 1. What is the basis for the policy? What is it seeking to achieve?

- a) The policy describes the requirements for development involving renewable and low carbon energy generation
- b) It should be noted that the Council has proposed some modifications to this Policy in document LP21, submitted alongside the Local Plan in 2015. These sought to address representations from Historic England.

### 2. How does the policy relate to the evidence base?

- a) The policy is consistent with the Camco Renewable and Low Carbon Energy Resource Assessment and Feasibility Study (CC01) which identifies significant potential for the generation of energy from renewable and low-carbon sources.

### 3. Is the policy sufficiently clear? Will it provide sufficient guidance for decision making?

- a) The policy gives guidance to decision makers within the confines of the extent to which national policy allows now that Building Regulations deal with many aspects.

### 4. How will the policy be implemented? Is this clear?

- a) Applications will be required to demonstrate that the criteria described in the policy have been met (Subject to the amendment to criteria c) outlined in LP21 and updated in relation to the Written Ministerial Statement as described in 7. below). The policy will be implemented through planning applications and by the use of conditions attached to any planning permission granted.

### 5. How does the policy relate to national policy? How is it consistent? Are there any inconsistencies?

- a) The NPPF stresses the role of planning in supporting the delivery of renewable and low carbon energy and associated infrastructure (para 93). It requires planning authorities to: *'have a positive strategy to promote energy from renewable and low carbon sources'* and *'design their policies to maximise renewable and low carbon energy development while ensuring that adverse impacts are addressed satisfactorily'* (para 97).
- b) This policy is consistent with the national policy and lists the criteria which will satisfy the local authority when developers submit planning applications which demonstrate that these have been addressed and incorporated

### 6. In overall terms is the policy justified, effective and consistent with national policy?

- a) Yes, subject to the proposed change detailed in section 7 below

### 7. How does Policy CC2 sit in relation to the Written Ministerial Statement concerning onshore wind energy? Does it need to be amended and if so how?

- a) In order to ensure consistency with the Written Ministerial Statement, the following addition to the policy is suggested:

*“Also, for wind energy proposals, planning permission will only be granted if:*

*h) the development is in an area identified in either the Local Plan or a Neighbourhood Plan as being suitable for wind energy; and,*

*i) following consultation, it can be demonstrated that the planning impacts identified by local communities affected by the proposal have been fully addressed and that the proposal has the backing of those communities”*

### **Policy CC3 – Buildings Standards Requirements**

#### **1. What is the basis for the policy? What is it seeking to achieve?**

- a) The policy ensures that buildings meet stipulated minimum standards of sustainability and that opportunities for district heating are explored for strategic development sites.
- b) It should be noted that the Council has proposed some significant modifications to this Policy in document LP21, submitted alongside the Local Plan in 2015. These sought to address representations received and to reflect the Housing Standards Review.
- c) The information below is based on the revised wording set out in LP21. In addition, updating the policy in line with new technology and Building Regulations at 7. below

#### **2. How does the policy relate to the evidence base?**

- a) For BREEAM: research carried out by BRE (Delivering Sustainable Buildings) found that achieving a BREEAM rating of ‘Very Good’ for a range of representative buildings (office, school, health centre) can be expected to have a minimal impact on construction costs, and can deliver significant reductions in carbon dioxide emissions, building running costs, energy consumption and water use. For an office the cost to achieve BREEAM ‘Very Good’, is between 0.13% and 0.34% more than the cost of a ‘standard’ build (depending on the location of the site), for a school the increase is between 0.11% and 0.35%, and for a community health care centre the range is 0.50% to 0.96%.
- b) For district heating: the Council has carried out a heat mapping and energy masterplanning study in 2015, which identified a number of district heating opportunity areas adjacent to Strategic Sites.

#### **3. Is the policy sufficiently clear? Will it provide sufficient guidance for decision making?**

- a) Further guidance on the application of the policy will be provided in the Sustainable Buildings Supplementary Planning Document. The policy signposts the need for a Sustainable Buildings Statement to accompany planning applications to ensure that applicants and decision makers take the requirements of this policy and the revised Sustainable Buildings SPD into account.

**4. How will the policy be implemented? Is this clear?**

- a) For BREEAM: applicants will be required to demonstrate that the development will be designed and constructed to meet the stipulated standards. This will involve a pre-assessment, together with design-stage and completion-stage assessments by an accredited BREEAM assessor. The process will be detailed in the revised Sustainable Buildings Supplementary Planning Document.
- b) For district heating: development within the scope of the policy will be required to incorporate the assessment into the Sustainable Building Statement submitted with the planning application. Again, the implementation process will be detailed in the revised Sustainable Buildings Supplementary Planning Document.

**5. How does the policy relate to national policy? How is it consistent? Are there any inconsistencies?**

- a) For residential developments the policy expressly states that they are required to be designed and constructed in accordance with relevant national sustainability standards and national zero carbon homes policy (but see section 7 below).
- b) The requirement for Major non-residential development to meet a minimum BREEAM rating of 'Very Good' is consistent with paragraph 95 of the NPPF.
- c) Promoting district heating forms an important part of central government's decarbonisation strategy (The Future of Heating: Meeting the Challenge, March 2013).

**6. In overall terms is the policy justified, effective and consistent with national policy?**

- a) Yes. The Building Regulations have been tightened to ensure that national targets are reached but the policy adds another dimension in addition to the Building Regulations, which have quite a narrow remit, to address pollution, ecology and sustainable use of materials. This policy applies to all new development of one unit or more and the Council sees these requirements as a minimum without imposing additional and more onerous standards. Developments involving major changes to existing buildings are also encouraged to take the standards imposed by the policy into account to achieve sustainable buildings which reduce energy costs.

**7. Is Policy CC3 justified in light of the new National Technical Standards and Building Regulations?**

- a) In the light of the new National Technical Standards and Building Regulations it is proposed that the following sections of the policy are DELETED:
  - Residential buildings – all new dwellings are required to be designed and constructed in accordance with relevant national sustainability standards for new homes and from 2016 (or the date of its introduction) national zero carbon homes policy
  - In meeting the carbon reduction targets set out in the Building Regulations and the above and BREEAM standards the Council will expect development to be designed in accordance with the following energy hierarchy:
    - 1) Reduce demand through energy efficiency measures (such as insulation, air tightness, efficient lighting and appliances, optimum use of solar gain and daylighting etc.)
    - 2) Supply energy through efficient means (i.e. by installing combined heat and power and / or connecting to a district heating system
    - 3) Utilise renewable and low carbon energy generation technologies

- b) The following sections of the policy should be RETAINED:
- Non-residential buildings – all non-residential development over 1,000 sq. m is required to achieve as a minimum BREEAM standard 'Very Good' (or any future national equivalent) unless it can be demonstrated that it is financially unviable or a suitable alternative sustainability strategy is proposed and agreed with the Council
  - The Council will expect applicants to consider the potential to incorporate large scale decentralised district heating networks on the Strategic Sites identified in this plan
  - Applicants will be required to submit a Sustainable Buildings Statement to demonstrate how the requirements of the Climate Change policies in this Plan and any other relevant local climate change strategies have been met
- c) The justification for this is that the new National Technical Standards and Building Regulations are much narrower in scope than BREEAM, covering only a small number of specific issues such as energy efficiency and water use, and do not determine the overall sustainability of a building. Furthermore, district heating is not covered by the Technical Standards or Building Regulations.