

**E D G A R S**

# Warwick Net Zero Carbon DPD Regulation 18 Consultation Report

Warwick District

Prepared for: Warwick District

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# 1 Introduction

- 1.1 Edgars Planning Consultants and Bioregional Development Consultants are instructed by Warwick District Council (the Council) to prepare a report of the consultation responses received to the Net Zero Carbon Development Plan Document Consultation Draft July 2021 (Net Zero Carbon DPD). This report considers the representations received and makes recommendations with regard to the Council's response and amendments to the DPD.

## Background

- 1.2 On 27<sup>th</sup> June 2019 Warwick District Council declared a climate emergency including commitments with regard:

- Becoming a net zero carbon organisation, including contracted out services by 2025
- Facilitating decarbonisation by local businesses, other organisations and residents so that total net carbon emissions within Warwick District are as close to zero as possible by 2030
- Engaging with and listening to all relevant stakeholders including members of the Warwickshire Youth Parliament, and setting up the Climate Change Peoples Inquiry, regarding approaches to tackling the climate emergency

- 1.3 Following this, the Council adopted a Climate Emergency Action Programme at its meeting in February 2020. The Action Programme included a strong recognition of the important influence of planning in tackling climate change including the following areas for possible action:

- Ensure that the planning system, led by the Local Plan, sets developments and land use standards aimed at reducing carbon emissions and building sustainable communities
- Develop and implement policies that will deliver improved net zero carbon building standards - subject to national policy
- Ensure carbon reduction features and BREEAM standards are included in major development schemes

- 1.4 The Warwick District Local Development Scheme 2021 identifies a three-year programme for the review and preparation of planning policies. The preparation of a 'Climate Change and Sustainable Buildings DPD' is included in the Local Development Scheme 2021 as a priority for delivery in the years 2021-2023.
- 1.5 The Local Development Scheme also identifies that the Council will be preparing a new South Warwickshire Plan for adoption in 2025. The South Warwickshire Local Plan will be a new strategic Local Plan prepared jointly across Warwick District and Stratford District.
- 1.6 It is acknowledged that whilst a comprehensive new South Warwickshire Local Plan (SWLP) is under preparation, the Council's declared Climate Emergency and Action Plan requires policies to deliver net zero carbon building standards to be developed and implemented as quickly as possible. Edgars and Bioregional are supportive of this approach and are assisting in delivering against this aim.

### Local Plan Regulations

- 1.7 It is the local authority's statutory duty to ensure that its Development Plans Documents are up to date and provide a vision and framework for future development in the area. Under Section 38(6) of the Planning and Compulsory Purchase Act 2004 *'To the extent that development plan policies are material to an application for planning permission the decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise'*.
- 1.8 The Development Plan in Warwick District currently includes:
- Warwick District Local Plan 2011 – 2029 (adopted 20 September 2017)
  - Made Neighbourhood Plans<sup>1</sup>
- 1.9 The Net Zero Carbon DPD upon adoption will form an additional part of the development plan for Warwick District alongside existing development plan policies (unless they are specifically replaced by the Net Zero Carbon DPD).
- 1.10 Regulation 18 of The Town and Country Planning (Local Planning) (England) Regulations 2012 states that in the preparation of a Local Plan:

**18. (1) A local planning authority must—**

*(a) notify each of the bodies or persons specified in paragraph (2) of the subject of a local plan which the local planning authority propose to prepare, and*

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<sup>1</sup> [Neighbourhood plans - Warwick District Council \(warwickdc.gov.uk\)](https://warwickdc.gov.uk)

*(b) invite each of them to make representations to the local planning authority about what a local plan with that subject ought to contain.*

*(2) The bodies or persons referred to in paragraph (1) are—*

*(a) such of the specific consultation bodies as the local planning authority consider may have an interest in the subject of the proposed local plan;*

*(b) such of the general consultation bodies as the local planning authority consider appropriate; and*

*(c) such residents or other persons carrying on business in the local planning authority's area from which the local planning authority consider it appropriate to invite representations.*

*(3) In preparing the local plan, the local planning authority must take into account any representation made to them in response to invitations under paragraph (1).*

Under Regulation 22 a statement is required setting out

*i) which bodies and persons the local planning authority invited to make representations under regulation 18,*

*(ii) how those bodies and persons were invited to make representations under regulation 18,*

*(iii) a summary of the main issues raised by the representations made pursuant to regulation 18,*

*(iv) how any representations made pursuant to regulation 18 have been taken into account.*

1.11 This consultation report has been prepared to assist Warwick District Council to demonstrate compliance with Regulations 18 and 22.

### **Structure of this Document**

- Section 2 summarises the Consultation Procedure: how and which bodies and persons were invited to make representation on the scope of the DPD.
- Section 3 provides a breakdown of the representations
- Section 4 summarises the main issues arising from the representations and makes recommendations to the Council on how to address these issues
- Section 5 concludes with a summary of recommendations and next steps.

## 2 Consultation Procedure

- 2.1 Warwick District Council commenced a Regulation 18 consultation on the Draft Net Zero Carbon Development Plan Document (DPD) on the 26<sup>th</sup> July 2021 for a period of 7 weeks until 13<sup>th</sup> September 2021.
- 2.2 The draft DPD was made available online, or through a downloaded PDF version. Consultation comments could be made using an online consultation portal (Opus Consult), via email to the planning policy team, or in writing to the planning policy team at Warwick District Council's Offices.
- 2.3 The Regulation 18 consultation was made in accordance with Warwick Statement of Community Involvement (SCI) Updated in April 2020.
- 2.4 Statutory consultees were contacted at the start of the consultation for their feedback, the list of statutory consultees is noted in the SCI – [available here](#). The consultation period was set at 7 weeks to account for the summer holiday period.
- 2.5 The following supporting documents were also provided on District Council's website:
  - Climate Change Viability Assessment Report
  - Sustainability Appraisal Non-Technical Summary
  - Sustainability Appraisal / Strategic Environmental Appraisal / Habitats Regulation Assessment (SA/SEA/HRA)
  - SA/SEA/HRA Screening Response - Natural England
  - SA/SEA/HRA Screening Response - Historic England
- 2.6 Individual consultation comments have been collated and anonymised, while statutory consultees and organisations have been included in full.
- 2.7 For the avoidance of doubt responses from Historic England were in response to the SEA screening request, and not in direct response to the Draft DPD submitted for consultation.

## 3 Representations summary

The Regulation 18 consultation received:

- 85 responses received in total (some people have submitted more than one representation)
- 43 number of respondents in total
  - Of this, 17 respondents are from organisations
  - And 26 are individual respondents

3.1 Figure 1 provides an overview of the position of respondents, out of the total number of respondents (85) there were 39 comments in support of the DPD, 17 noting objections, 18 mixed comments, 5 which were unable to be categorised (contained textual/reference amendment), and 4 which were unclear.

3.2 Figure 2 provides an overview of the themes we have identified from the respondent's comments.

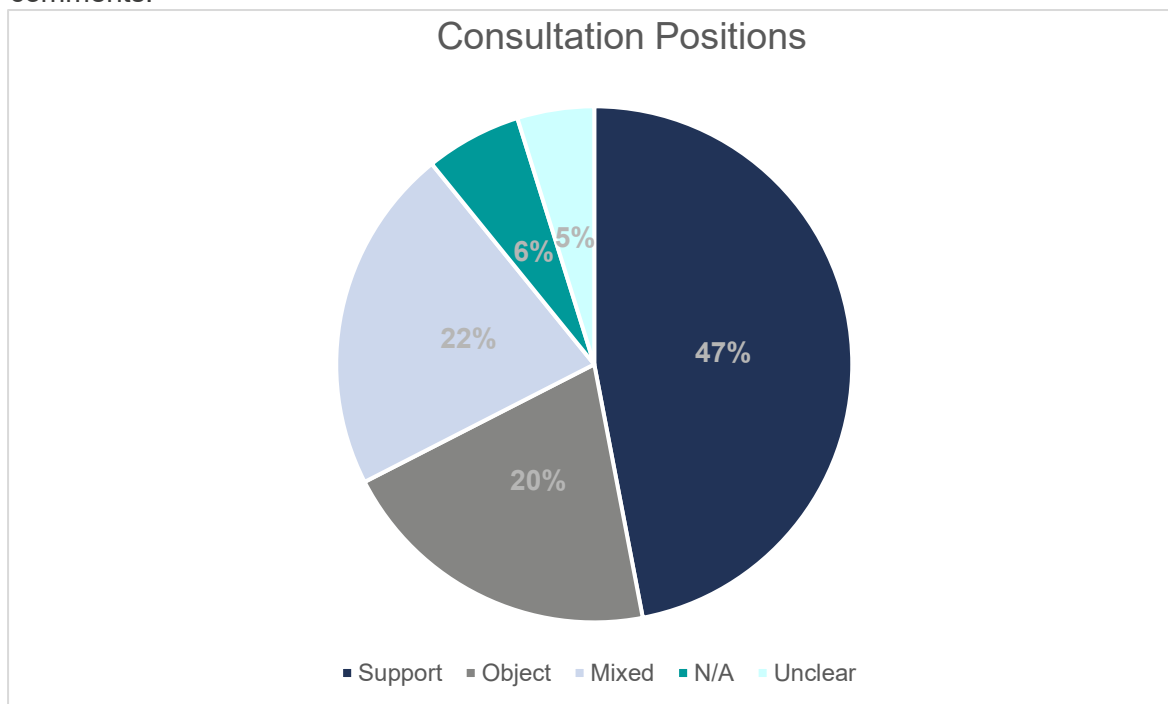


Figure 1: Consultation Overview

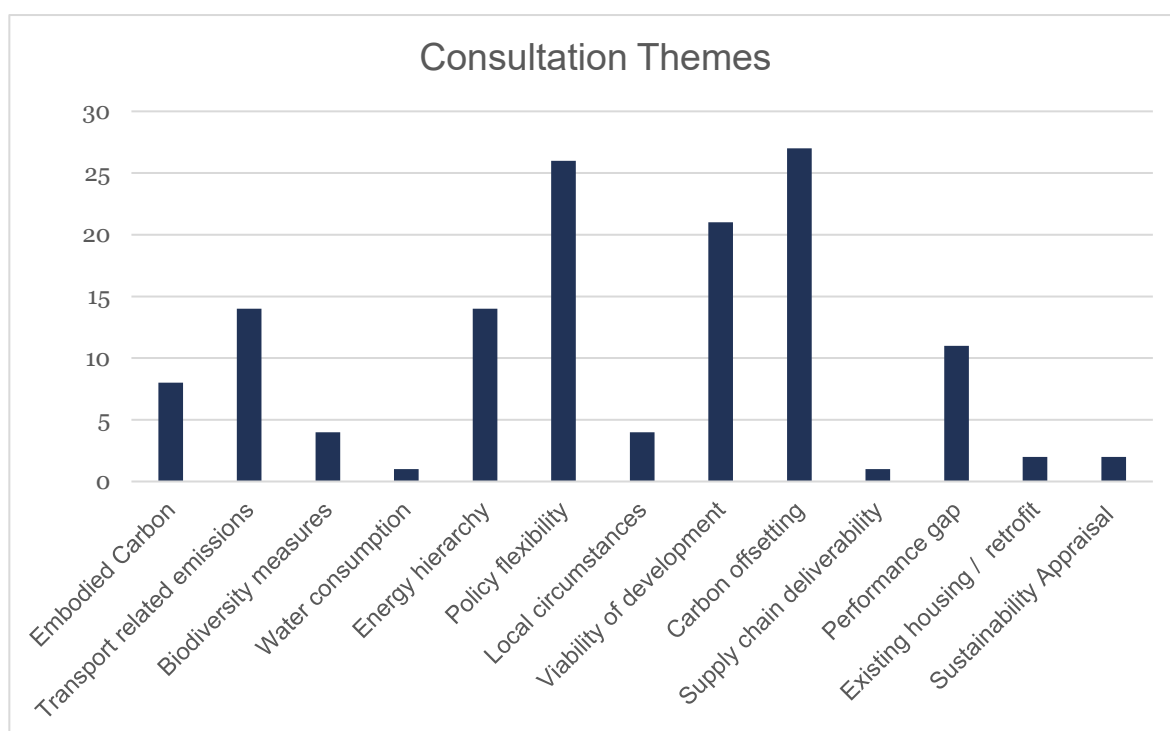


Figure 2: Consultation Theme Summary

## 4 Consultation Representations and Key Themes identified

- 4.1 The consultation received a greater number of comments in support of the DPD over comments objecting, with the majority of respondents acknowledging the need for action to reduce the carbon footprint of new development and lessen the contribution to the causes of climate change. Where comments were of 'mixed' feedback, most of these still supported the goals of net zero carbon but wanted the policies to be more effective, forceful, or have clearer means for implementation. The Local Authority, supported by Edgars and Bioregional, thank and share the respondents desire to implement the aims of the Net Zero Carbon DPD.
- 4.2 Notwithstanding the supportive representations received, this section summarises the key issues and points of objection (or points for improvement) raised through the comments to the consultation under a number of themes.
- 4.3 Through the representations, the following key themes were identified.
- **Embodied Carbon (construction materials)\***
  - **Energy Hierarchy\***
  - **Carbon Offsetting\***
  - **Supply chain deliverability\***
  - **Performance gap / enforceability\***
  - **Transport related emissions**
  - **Existing buildings/retrofit\***
  - **Biodiversity measures**
  - **Policy flexibility**
  - **Local circumstances**
  - **Viability of development**
  - **Sustainability Appraisal**
- 4.4 The individual representations and proposed responses can be found at the end of this document. Individual representations are also available on the Council's consultation portal.<sup>2</sup> The themes identified from the consultation representations are cross-referenced within the table. The response to the issues identified within these themes is presented below.
- 4.5 \*To assist in responding to the issues identified, Bioregional were instructed by Warwick District Council to undertake an Energy and Sustainability Policy Review. Their report can be read alongside this summary and considers in particular those themes marked identified with \* above. The review has helped shape the response to the issues identified.

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<sup>2</sup> [Warwick District Council - Net Zero Carbon Development Plan \(oc2.uk\)](https://www.warwick.gov.uk/oc2.uk)



## Embodied Carbon (construction materials)

- 4.6 Several comments highlight that the proposed policies should also include a calculation and measurement of the embodied carbon through the production, transportation and construction phase of the development.
- 4.7 The policies of the Net Zero DPD Consultation Draft 2021 focus on the operational emissions leading from development and through Policy NZC2(A) outlines the target for operational efficiency at 75% over and above the 2013 building regulation standards.
- 4.8 Local planning policy should contain policies that are aspirational but deliverable and be unambiguous so it is clear how a decision maker should react to development proposals such that they are implementable. The process of accounting for embodied carbon is complex and specialist input is often required to ensure that an accurate calculation has been made. In the current circumstances, the availability and cost of assessors and methodologies for embodied carbon measurement could affect the viability of the Net Zero Carbon DPD policies on all scales of development included in the DPD, particularly at an individual dwelling level.
- 4.9 The scale at which embodied carbon assessments could be applied to different scales of development was considered in response to the public consultation and the average cost of assessment fed into the viability testing. Embodied carbon assessments were deemed impracticable for small scale developments, however for major residential and commercial developments these assessments were deemed feasible and viable.

### Proposed changes to the DPD

- New policy (NZC 3) for embodied carbon assessments on major development which illustrates how the embodied carbon of proposed materials and construction methods have been considered and reduced where possible.
- This new policy also includes the provision of a whole-life carbon assessment of materials on developments >50 dwellings, or 5,000sqm of commercial floorspace.

## Energy Hierarchy

- 4.10 As a cross over with concerns over carbon offsetting, there were comments made against the potential reliance of carbon offsetting as a tool to mitigate residual operational carbon emissions.
- 4.11 The Net Zero Carbon DPD Consultation Draft 2021 policies imply a sequential approach to reducing carbon in development as set out by Policy NZC1. The steps of the hierarchy are further defined and requirements are made under each stage of the hierarchy, these are illustrated below:

- NZC2(A) Making buildings more energy efficient
- NZC2(B) Zero or low carbon energy sources
- NZC2(D) Zero-carbon ready technology
- NZC2(D) Carbon offsetting

- 4.12 It is acknowledged that the final stage of the energy hierarchy – offsetting, is the least desirable outcome for ensuring that a development makes a tangible and lasting impact in reducing carbon emissions. However, to accord with national planning policy, planning policies must also be feasible and viable and as such include some flexibility and therefore, policy NZC2(D) is necessary.
- 4.13 Improving the energy efficiency of new homes and buildings is the most cost-effective way to minimise the new infrastructure that will be required to achieve a zero-carbon energy system.
- 4.14 Given the urgency and the timing of the DPD it is recommended that the sequential approach of Policy NCZ1 is made more explicit in the policy and that targets are set within the policy for on site carbon reduction, energy efficiency and zero or low carbon energy. This approach, used in several other local plans, ensures that reasonable steps have been taken to reduce the energy use and carbon emissions on site before resorting to offsetting.
- 4.15 In reference to the programme of consultation and examination of this DPD, it is deemed prudent to consider changes to building regulations to ensure that the DPD, once adopted, applies to the most up to date standards. For this reason it was considered sensible to apply the overall target emission reductions on the 2021 building standards (interim uplift) rather than on 2013 standards, as these would be in force at the likely time of adoption.

#### Proposed changes to the DPD

- Sequential approach to the energy hierarchy made explicit within Policy NZC1 and through the supporting text.
- Minimum on site carbon reduction targets included in Policy NZC1, and performance targets for the energy efficiency through policy NZC2(A) and zero and low carbon energy sources and technology through policy NZC2(B) to ensure appropriate carbon emission reductions are delivered at each these stage of the energy hierarchy. These are expressed as a % reduction in carbon emissions per stage of the hierarchy<sup>3</sup>. For new dwellings the proposed on-site carbon reductions reflect the fabric efficiency

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<sup>3</sup> For example, stating that before offsetting can be used, a new dwelling must first achieve at least a 63% carbon reduction on site (compared to 2021 building regulations) through fabric efficiency and then low or zero carbon heating sources and renewable energy (these percentages are illustrative only)

standards at least in line with the 2025 version of Part L that has been released indicatively by the government (The Future Homes Standard)

- Policies and supporting text amended to refer to the uplift to Building Regulations Part L 2021.

## Carbon Offsetting

4.16 As noted in the preceding section on the energy hierarchy, numerous comments drew attention to the undesirability of a mechanism to offset carbon emissions off-site. To provide greater details on the concerns raised, we have summarised the key issues as:

- Carbon offsetting appearing as greenwashing
- Transparency and accountability of carbon offsetting payments and schemes
- Location and timing of offsetting schemes being of benefit to local communities and Warwick District.
- Reliance on tree planting (not removing carbon as fast as the building emits it)
- Responsibility and credibility of developers
- Enforcement and accountability of the Local Authority
- Calculation methodology for 'cash in lieu contributions'

4.17 It is prudent to reiterate that to accord with national planning policy, local planning policies must be feasible and viable and as such include some flexibility. The inclusion of the mechanism for offsetting under policy NZC2(D) is therefore a necessary requirement.

4.18 The application of the energy hierarchy would mean that carbon offsetting is only an option as a final resort. Offsetting is proposed to be achieved through Section 106 payments (offsets) through the policy NZC2(D) as a cash in lieu contribution or a verified local offsetting scheme.

4.19 To facilitate the cash in lieu contribution the District Council has set up a Carbon Offsetting Fund and will provide supplementary planning guidance on how contributions to the carbon offsetting fund will be utilised to enable net-zero carbon. Monitoring of the fund will be included in the Authority Monitoring Report and thus provide transparency to the number and amount of contributions made and the projects being funded. In addition, the Fund's progress will also be monitored and reviewed in line with the District Council's Climate Emergency Action Programme.

4.20 In respect of the projects funded under the District's Carbon Offsetting Fund, the stipulation of the exact nature of the schemes is not feasible in the Net Zero Carbon DPD and would be the subject of supplementary planning guidance. This would allow funds to be directed at the most beneficial schemes, accounting for variation in timescales, locations and technology. These projects should be assessed against deliverability, measurability and

reversibility of their carbon savings. For example, tree planting may play a small role in this (in which case registration would be required under the Woodland Carbon Code for credibility and national recognition of the carbon saved), but it is not expected that this would be the main kind of project funded through offsets.

- 4.21 The choice of offsetting mechanisms presented under NZC2(D-1&2) provides a sufficient degree of choice in the delivery of the offsets, without the pitfalls which can occur with schemes into which neither the developer nor the District Council has direct visibility - such as if spent on schemes beyond the boundaries of the UK. The wording of the policy, therefore, secures benefits for the local community and Warwick District as offsetting is secured and delivered through the District Council.
- 4.22 Notwithstanding the point above, the location and timescales of offsetting are a relevant consideration that will be addressed in the supplementary planning guidance which will support the District's Carbon Offsetting Fund. It is recommended that this document includes consideration to the location of offsetting schemes through a hierarchy of offset locations and the timescales in which an offsetting scheme needs to deliver its carbon savings. A further example of how a locational hierarchy may be set out is below:
- i. within walking distance of the site (if the scheme is tree planting, and only if existing public green space has been lost due to the development);
  - ii. within Warwick District boundaries (to contribute to the overall goal of a net zero carbon Warwick);
  - iii. Within Warwickshire and neighbouring authorities;
  - iv. within the UK, and never overseas (to contribute to the achievement of the UK's legally binding net zero carbon goal).

\*Tier iv should only be used if points i-iii are demonstrably impossible.

- 4.23 The transparency of decision making would be clear through the requirement and publication of energy statements on development proposals and in turn the calculation of cash in lieu contribution secured through a Section 106 Agreement. Planning decisions would reference the degree to which the development accords with development plan policies (once the Net Zero Carbon DPD is adopted) as part of the officers delegated reporting functions.
- 4.24 There would need to be identification and calculation of the offsetting amount for viability purposes. This must be priced so that the offset fund can be used on projects to deliver the same amount of carbon savings that was offset. This could be done in one of two ways:
- a) Evaluating the cost of projects in the district or county that would deliver measurable carbon savings and setting the price of CO<sub>2</sub> offsets in relation to the average cost to

deliver 1 tonne of carbon savings across a range of these projects. This could be an extensive exercise.

- b) Setting the price per tonne of CO<sub>2</sub> to reflect the nationally recognised non-traded price of carbon as set by the Treasury Green Book (as of 2021 [this is](#) £120, £241 or £361).<sup>4</sup> The fund would then need to deliver a range of projects that may be more or less expensive, so long as the average cost (per tonne of carbon saved) is the same as that charged to the developer.

#### Proposed changes to the DPD

- Sequential approach to the energy hierarchy made explicit within Policy NZC1 so that offsetting is the last option, by requiring minimum achievements in earlier steps before offsetting will be considered an acceptable solution
- The location of 'local off-site offsetting schemes' has been clarified as Warwickshire and neighbouring authority Coventry to provide sufficient flexibility for potential offsetting schemes
- The policy refers to a set standard of calculating the carbon price, determined by using the central figure from the Treasury Green Book data from BEIS.
- The amended policy now has due regard to any residual emissions identified through the performance gap assessments (undertaken at the planning design stage and pre-occupation). Included in the policies and supporting text are industry-standard methodologies for design and as-built energy modelling with explanation of the 'performance gap' realised post-completion and determined through 'assured performance testing'.
- Policy number change to reflect policy changes elsewhere in the DPD from NZC2(D) to NZC2(C)
- Clear definition of energy performance methodologies e.g. SAP and SBEM which are included in the amended policies; and referenced in the glossary and supporting text.

#### **Supply chain deliverability**

- 4.25 A small number of comments highlighted the practical implications of the policies on the construction industry and supply chains, noting the Governments efforts through the Future Homes Standard to prepare the industry for zero carbon ready housebuilding through the

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<sup>4</sup> This was how the GLA set the London-wide minimum carbon offset price for the previous London Plan (at the time, this was £60) but it has been raised to £95 in the New London Plan.

interim uplift in part L building regulations (2021) and implementation of the Future Homes Standard in 2025.

- 4.26 The Net Zero Carbon DPD Consultation Draft 2021 through policy NZC2(B) requires that development proposals include an energy statement that demonstrates how zero, or low carbon sources of energy have been considered and incorporated. While this policy stipulates areas that require consideration, it does not mandate the inclusion of certain types of technology into a development, reflecting those solutions will differ across building types and scales.
- 4.27 Warwick District Council instructed Bioregional to prepare further evidence considering policy options for the DPD, the 'Warwick DC Zero Carbon DPD Energy and Sustainability Policy Review'.
- 4.28 The powers granted to Warwick District Council under the Planning and Energy Act enable local planning authorities to set energy efficiency standards greater than those laid out in national building regulations. Recent consultations on The Future Homes Standard has acknowledged that a transition period from 2022, at a national level, may be needed to upskill the entire country's construction sector in readiness to universally implement those standards, but the skills to implement such highly energy-efficient homes already exist in the industry at the scale required to deliver these standards, as only a handful of local authorities are implementing this in advance of 2025.
- 4.29 This is especially true for fabric energy efficiency, in which great gains can be made simply by installing more or better versions of the insulation that is already installed today. By encouraging and requiring developers to immediately achieve similar on-site carbon reductions to those laid out in the indicative Future Homes Standard, the District Council is making Warwick into a place where developers will become familiar with implementing such a standard in advance of 2025 and will be more ready for the nationwide implementation of the Future Homes Standard from 2025 onwards.
- 4.30 In reference to the programme of this DPD, it is considered prudent to include imminent changes to building regulations to ensure that the DPD, once adopted, applies to the most up to date standards. The interim uplift in building regulations in 2022 will help to instigate industry wide improvements to construction materials and products, supply chain and labour availability, and low or zero carbon technologies which further support the aims and objectives of the DPD's policies.

#### Proposed changes to the DPD

- The policies have been updated to reflect the imminent introduction of changes to the building regulations (Part L 2021).
- Additional evidence accompanies the DPD in the form of the Bioregional Warwick DC Zero Carbon DPD Energy and Sustainability Policy Review

### **Performance gap (enforceability)**

- 4.31 Several comments and questions related to the measurement of energy efficiency and energy performance under policy NZC2(A) of the Consultation Draft 2021.
- 4.32 Policy NZC2(A) of the Consultation Draft 2021 requires that developments demonstrate energy efficiency in design, and in operation of 75% over and above 2013 building regulation standards. The methodology for this is related to the Governments SAP Procedure. To ensure the DPD is up to date upon adoption, it is considered prudent to use the latest SAP calculation methodology (SAP 10.2), and also to set standards against 2021 Building Regulations (the uplift between 2013 Building Regulations and the Future Home Standards due in 2025) to which SAP 10.2 relates.
- 4.33 The thrust of the policy is to ensure the proposed building energy performance design as approved at application is achieved at construction. Any additional emissions over and above those identified at the design stage using the Standard Assessment Procedure (SAP) or Simplified Building Energy Mode (SBEM) should be included in the offsetting procedure NZC2(D).
- 4.34 The 'performance gap' is identified post-construction through onsite assured performance testing such as thermographic survey, air tightness testing and u-value testing. The 'energy performance gap' between design stage carbon emissions and those calculated post construction (pre-occupation) should be rectified on site or included in the carbon offsetting procedure.
- 4.35 The DPD policies only relate to regulated energy in this regard, which results from fixed building services and fittings (space heating, cooling, hot water, ventilation and lighting) and is assessed through SAP or SBEM calculations.
- 4.36 The reason for this is that the limitation of industry approved energy modelling software calculates regulated emissions only and does not include those unregulated emissions in operation.
- 4.37 The DPD therefore requires an assessment of the regulated energy performance gap between the design stage and post completion, through the mechanism of imposing a pre-occupation condition incorporating a reassessment of the SAP or SBEM calculations, air permeability testing, thermographic surveys and logbooks. These measures are deemed necessary and are accepted to be the most efficient methods to capture any difference between the designed and built structure.
- 4.38 The policies intend that this mechanism for securing building standards is transparent to the public, through necessary discharge of conditions on applications and if required the offsetting mechanism set out in NZC2(D), which for reasons noted above also provides transparency to the public on contributions to the carbon offset fund.



### Proposed changes to the DPD

- Clarification added in the Aims and Objectives of the DPD that it relates only to carbon emissions resulting from energy use in buildings known as regulated energy, which results from fixed building services and fittings (space heating, cooling, hot water, ventilation and lighting) and is assessed through SAP or SBEM calculations
- The supporting text to policy NZC1 sets out the planning mechanism and timings to measure the performance gap, and the methodologies that are acceptable (SAP, SBEM PHPP).

### **Transport related emissions**

4.39 Several comments highlight that the proposed policies should also include measures that address carbon emissions resulting from transport use in new developments, specifically in relation to:

- The spatial location of development
- Provision of public transport
- Provision for active travel (cycling and walking)
- Provision for electric vehicle charging points

4.40 This is an important topic for Warwick District to consider in their ambition to be net zero. The carbon emissions resulting from transport may dwarf the emissions from energy use in an efficient new building if the location and design of new development encourage unsustainable travel patterns such as driving.

4.41 Local Plan policies can influence travel patterns to achieve more sustainable travel through addressing the matters identified above. Matters including the spatial location of the development, public transport provision and provision for active travel, are addressed through existing policies within the development plan, notably the Warwick District Local Plan. In addition to the adopted development plan, new frameworks across the District are emerging: the SWLP which has climate change as a key principle and the County Council's Local Transport Plan 4.

4.42 These matters largely fall outside of the scope of the Net Zero Carbon DPD which relates to new building energy performance. It is recommended that the scope of the DPD be made clearer within the introductory sections in this regard. Provision for electric vehicle charging points is already required through Local Plan TR1(d) of the local plan and expanded upon within the Parking Standards SPD. It is noted that in testing the viability of the policies an electric vehicle charging point for all new dwellings was assumed.



### Proposed changes to the DPD

- Clarification added in the Aims and Objectives of the DPD that it relates only to carbon emissions resulting from energy use in buildings known as regulated energy, which results from fixed building services and fittings (space heating, cooling, hot water, ventilation and lighting) and is assessed through SAP or SBEM calculations

### **Existing buildings /retrofit**

- 4.43 Comments raised concern with regard to the lack of policies to address existing buildings including the existing housing stock.
- 4.44 The concern is noted as the existing building stock is much larger and less energy efficient, therefore having far greater energy and carbon impact than new buildings. This concern is correct and valid.
- 4.45 The policies in the Net Zero Carbon DPD can however only apply to new development and those conversions/refurbishments which require planning permission within the remit of the Town and Country Planning Act. The policies cannot, therefore, apply to the existing building stock where there are no proposals for new development or conversions/refurbishment that do not require planning permission.
- 4.46 The types of new development to which the Net Zero Carbon DPD policies apply are set out in paragraph 5.4 of the July 2021 Consultation draft and include:

*The policies in this plan will apply to the following new developments:*

- a) All new residential developments of 1 dwelling or more*
- b) Other new residential buildings with a floor area over 30 square metres (or 15 square metres if it includes sleeping accommodation) which require planning permission and which will be physically separate from the main dwelling (for instance domestic outbuildings) or which will or could be used separately from the main dwelling*
- c) Where planning permission is required, change of use or conversions to residential or commercial uses*
- d) All new non-residential buildings.*

- 4.47 The scope of Consultation Draft 2021 the policies is very wide and includes existing buildings where a change of use to residential or commercial uses is proposed.
- 4.48 The ambition of the policy to ensure that the energy performance of existing buildings is addressed when a change of use is proposed is commended. This must however also be considered with regard to the viability of development, as noted under the Viability theme

heading. Existing buildings will often have a high land use value and are therefore typically less likely to be able to accommodate additional development costs. The feasibility of achieving the proposed carbon reductions through fabric efficiency and renewable and low carbon energy use is also more complex.

- 4.49 A new policy relating only to existing buildings is proposed. This address the concerns over feasibility and viability in applying the same standards as new build developments while adding positive weight to developments which include low carbon energy sources, technologies and reduces the energy consumption of existing buildings.
- 4.50 The applicability of the policies currently set out within the supporting text in paragraph 5.4 of the July 2021 consultation draft are a key element of the policy. The threshold of development, to which Policies NZC1 and NZC2 apply, has been reviewed as part of the consultation response and is clarified in NZC1 and through the new policy on existing buildings.

#### Proposed changes to the DPD

- Policies NZC1 and NZC2 (A, B and C) amended to clearly set out the types of development to which these policies apply in
- New policy NZC 4 for existing buildings

#### **Biodiversity measures**

- 4.51 Comments identified that the policies should include provisions for supporting wildlife in a new development or offsetting the loss of habitat resulting from new development.
- 4.52 Wildlife and biodiversity are essential elements of sustainable development but are considered by other policies in the Local Plan.
- 4.53 Further clarification is added in the Aims and Objectives of the Net Zero Carbon DPD to identify it relates only to in-use carbon resulting from energy use in buildings. When writing the separate SPD on offsetting, it is recommended that if afforestation schemes are part of this, biodiversity benefits should be delivered alongside carbon benefits (which must be verified).

#### Recommended changes to the DPD

- Clarification added in the Aims and Objectives of the DPD that it relates only to carbon emissions resulting from energy use in buildings known as regulated energy, which results from fixed building services and fittings (space heating, cooling, hot water, ventilation and lighting) and is assessed through SAP or SBEM calculations

## Policy flexibility

4.54 A number of comments were supportive of the intent of the DPD policies but raised concern with regard to wording allowing some flexibility in the policies to account for situations where addressing the requirements of the policies is unviable or impractical.

4.55 This appears in Policy NZC2(B) Zero or Low Carbon Energy Sources of the Consultation Draft 2021:

*Proposals for new development must include an energy statement which demonstrates that zero and low carbon sources of energy have been considered and, where possible, incorporated or utilised in the development....*

*Alternatives to fossil fuels (such as heat pumps) should be used for heating in all housing unless the costs or configuration of the development can be demonstrated to make this unviable or impractical*

4.56 Policy NZC2(E) Viability of the Consultation Draft 2021 is a separate policy that states that:

*Where the nature or location of the site (for instance impact on the significant heritage assets) means that complying with the requirements of this DPD can be demonstrated to result in a development proposal becoming unviable, Policy DM2 of the Local Plan will apply.*

4.57 A number of comments have suggested that the wording in the policies that allow some flexibility, such as 'where possible' and 'where practical and viable' means that the policies are not strong enough. Comments suggest that such references should be removed and that development should be required to be net zero or it will not be permitted.

4.58 Under National Planning Policy (NPPF) the DPD will be tested for soundness at an independent examination. Paragraph 35 of the NPPF sets out the tests of soundness the plan must meet. These include:

*35d) Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.*

4.59 NPPF Paragraph 157 states:

*In determining planning applications, local planning authorities should expect new development to:*

- a) *comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant,*

*having regard to the type of development involved and its design, that this is not feasible or viable;*

- 4.60 National planning policy requires that planning policies are aspirational but deliverable (NPPF para 16 b)).
- 4.61 Having regard to national policy it is a requirement that policies contain some flexibility to account for where the application of the Net Zero Carbon DPD policies is not feasible or viable.
- 4.62 It is proposed that consistent wording is used throughout the policies that reflect that within NPPF paragraph 157 that new development should comply with the Net Zero Carbon policies unless this is demonstrated having regard to the type of development involved and its design, that this is not feasible or viable.
- 4.63 The feasibility of complying with the policies can be robustly assessed and tested through the provision of an Energy Statement (as required by Policy NCZ1).
- 4.64 With regard to Consultation Draft 2021 Policy NCZ2(E) Viability, the policy cross refers to Adopted Local Plan Policy DM2. Policy DM2 refers specifically to Viability and requires a detailed Viability Assessment where proposals are unable to comply with policies in the Local Plan. Edgars support the cross-reference to Policy DM2 which would apply to the Net Zero Carbon DPD policies. The cross-reference to Policy DM2 may be included in the supporting text but is not required to be a policy in itself.

#### Proposed changes to the DPD

- Policies NZC1, NZC2A, NZC2B and NC2C updated to ensure wording consistent with national planning policy and retain flexibility within the policies to account for instances where complying with the policies is not feasible or viable having regard to the type of development involved and its design. The policy wording requires that where full compliance with the policies is not feasible or viable proposals must demonstrate through the energy statement that additional renewable, zero and low carbon energy technologies have been provided to the greatest extent feasible and viable.
- Policy NZC2 (E) removed but cross reference to adopted Local Plan Policy DM2 reference to requirements that viability will be robustly tested in accordance with Policy DM2.

#### **Local justification for exceeding Government standards circumstances**

- 4.65 Some comments, including from the House Builders Federation (HBF) and Taylor Wimpey, suggest that there is no need to set local energy efficiency standards to achieve the shared

net zero goal because of the higher levels of energy efficiency standards for new homes proposed in the 2021 Part L uplift and the Future Homes Standard 2025.

4.66 It is further suggested that the Council has not prepared any evidence justifying the policies which exceed the energy efficiency requirements and proposed improvements through national building regulations.

4.67 The local justification for the Net Zero Carbon DPD is presented in Sections 1 and 2 of the July 2021 Consultation draft. This highlights:

- The IPCC Intergovernmental Panel 2018 report on climate change on the state of global warming and subsequent reports on progress in carbon emissions and the limited carbon budget remaining to avoid the worst impacts
- The Committee on Climate Change reports that 40% of UK greenhouse gas emissions come from households and recommends that to reach the UK's legally binding carbon budgets and net zero target, new homes' heat demand should be limited to 15-20kWh/m<sup>2</sup>/year (much lower than the figure that would result from minimum compliance with current building regulations)
- The UK's international commitment via the Paris Agreement to play its full role in reducing carbon emissions to an extent that would limit climate change to no more than 2°C and pursue a limit of 1.5°C
- The UK legally binding target for net zero emissions by 2050 and a 78% reduction by 2035, and interim legislated five-yearly carbon budgets between now and the net zero date
- The Government's strategy is to cut greenhouse gas emissions through incoming updates to building regulations and the Future Homes Standard.
- The provisions within the Planning and Energy Act 2008 which mean local planning authorities retain powers to set local energy efficiency standards for new homes, and recent government response to the Future Homes Standard consultation confirming that there is no intent to remove this power at least in the immediate term
- The Council's declared Climate Emergency and Climate Emergency Action Programme to bring the whole local authority area as close as possible to net zero total carbon emissions by 2030
- Warwick District is responsible for 1,259,600 tonnes of CO<sub>2</sub>e per year (based on 2017 Scatter figures) of which around 40% arises from buildings.

4.68 There is clear evidence of the need to reduce greenhouse emissions as a result of new buildings to address international, national and local climate change commitments and that

the Building Regulations do not yet act sufficiently strongly to achieve the necessary reductions. This justifies the Net Zero Carbon DPD policies.

- 4.69 Through its Climate Emergency Action Programme the Council has prepared additional evidence including the Anthesis report – South Warwickshire Climate Action Support Report June 2021. Further, Warwick District Council instructed Bioregional to prepare further evidence considering policy options for the DPD - the Warwick DC Zero Carbon DPD Energy and Sustainability Policy Review. This evidence now accompanies the DPD.
- 4.70 Comments suggest that the Council should implement mitigation measures that follow the Government's programme as set out in building regulations.
- 4.71 Comments also refer to the way 'building regulations' are stated in the DPD, noting that reference to these would be out of date once the Future Homes Standard is implemented. Due to the imminent 2021 interim uplift in Building Regulations, and the probable timing of the adoption of the DPD, the DPD policies have been updated with reference to the 2021 Building Regulations. The 2021 uplift to Part L will not be as high as the proposed standard, therefore the Warwick District Council requirements would continue to apply at least until the full Future Homes Standard.

#### Proposed changes to the DPD

- Additional evidence accompanies the DPD in the form of the Anthesis – South Warwickshire Climate Action Support Report June 2021 and Bioregional Warwick DC Zero Carbon DPD Energy and Sustainability Policy Review
- The following points have been added to the supporting text to bolster the justification for the DPD by offering evidence that the UK's current rate of carbon reductions, including those that would be achieved by existing national building regulations, would be not enough to stay within the UK's legislated carbon budgets, get to net zero by 2050, or avoid the worst impacts of climate change:
  - IPCC subsequent reports (after 2018) on progress in carbon emissions and the limited carbon budget remaining to avoid the worst impacts of climate change
  - The UK's interim legislated five-yearly carbon budgets which reduce significantly between now and the net zero 2050 date (which are devised by the Committee on Climate Change based on extensive evidence and industry analysis, and are then written into law by parliament)
  - Committee on Climate Change latest reports showing ([link](#)) that nation-wide policies (including current building regulations) are not enough to deliver the UK's legally binding carbon budgets in coming years

- Committee on Climate Change recommendation ([link](#)) that that to reach the UK's legally binding carbon budgets, new homes should be designed to have a heat demand of only 15-20kWh/m<sup>2</sup>/year (which is much lower than the figure that would result from minimum compliance with current building regulations)
- The recent government response to the Future Homes Standard consultation confirming that there is no intent (at least in the immediate term) to remove local planning authorities' power under the Planning and Energy Act to require energy efficiency standards that are tighter than those in national building regulations
- The UK's international commitment via the Paris Agreement to play its full role in reducing carbon emissions to an extent that would limit climate change to no more than 2°C and pursue a limit of 1.5°C

### Viability of development

4.72 Representations have been made with regard to the impact of the Net Zero Carbon DPD policies on the viability of development. This includes challenges to the assumptions within the BNP Paribas Viability Study in June 2021; comments have been made by developers including Taylor Wimpey and Barwood Land and organisations representing developers including the Home Builders Federation.

4.73 The comments are included in full at the end of this report, but may be briefly summarised as:

- Detailed comments on the assumptions used in the Viability Study
- The cost of offsetting is not tested within the Viability Study
- Large strategic sites (over 300 dwellings) are not tested in the Viability Study
- The Viability Study indicates that the policies will have a negative impact on land values for residential development such that the policies are not viable in the majority of types of residential development tested in the Viability Study which fails to meet the viability tests of the NPPF
- That the Council should clarify the proportion of its housing land supply that falls into the typologies tested for viability to assess the impact of the policies on housing land supply.

4.74 Viability relates to the financial viability of development and that the costs relating to plan policies do not undermine the deliverability of planned development.



- 4.75 The NPPF paragraph 34 and NPPG provide the national policy and guidance on viability in the plan-making process. The NPPG states:

*The role for viability assessment is primarily at the plan making stage. Viability assessment should not compromise sustainable development but should be used to ensure that policies are realistic, and that the total cumulative cost of all relevant policies will not undermine deliverability of the plan.*

*It is the responsibility of plan makers in collaboration with the local community, developers and other stakeholders, to create realistic, deliverable policies. Drafting of plan policies should be iterative and informed by engagement with developers, landowners, and infrastructure and affordable housing providers.*

*Policy requirements, particularly for affordable housing, should be set at a level that takes account of affordable housing and infrastructure needs and allows for the planned types of sites and development to be deliverable, without the need for further viability assessment at the decision-making stage.*

*It is the responsibility of site promoters to engage in plan making, take into account any costs including their own profit expectations and risks, and ensure that proposals for development are policy compliant. Policy compliant means development which fully complies with up to date plan policies. A decision maker can give appropriate weight to emerging policies. The price paid for land is not a relevant justification for failing to accord with relevant policies in the plan. Landowners and site purchasers should consider this when agreeing land transactions.*

NPPG Paragraph: 002 Reference ID: 10-002-20190509

- 4.76 Edgars acknowledges that the price paid for land is not a relevant justification for not complying with plan policies. It is also accepted that the costs of development resulting from planning policies should not undermine the deliverability of the plan.
- 4.77 In this regard, it is of note that the Net Zero Carbon DPD policies are an additional layer of policies within the Local Plan and as such must be considered viable for the majority of typologies of development expected to come forward in the plan. There is otherwise a risk that the deliverability of the plan overall could be undermined.
- 4.78 The BNP Paribas Viability Study evidence has been reviewed and updated having regard to the detailed viability comments. A review and response to the consultation responses is included at Appendix 10 of the updated viability report.
- 4.79 The Viability Study evidence has been reviewed and updated to reflect the revised draft DPD policies. The cost uplift associated with the revised DPD policies has also been reviewed.



- 4.80 In reading the results, it is important to distinguish between development scheme typologies which are unviable prior to the NZC DPD policies being applied and those that become unviable after the NZC DPD policies are applied. Typologies that are unviable before the policies are applied are unlikely to come forward. This is particularly the case with flatted schemes (typologies 6, 7, 8 and 9) which are only viable in the highest value areas. This is consistent with the pattern of development; flatted schemes will generally only come forward in central urban areas where values are at the highest end of the tested range.
- 4.81 The results of the updated viability appraisals indicates that the majority of scheme typologies will remain viable but that some may not be able to meet the emerging NZC DPD policies alongside meeting the full policy requirement for affordable housing. Existing policy H2 has sufficient flexibility to deal with these situations, either through a departure from the usual tenure mix of 70% social rented housing and 30% shared ownership, or through a reduction in the overall percentage.
- 4.82 The updated DPD policies (NZC1) also identifies that where full compliance is not feasible or viable proposals must demonstrate that carbon reductions to the greatest extent feasible have been considered and incorporated. The NZC DPD cross refers to existing Policy DM2 (Assessing Viability'). This gives the Council the ability to balance the need to provide affordable housing (or other policy requirements) against NZC objectives, where site specific viability prevents both objectives being met. This flexibility will also ensure that the delivery of the Local Plan overall is not undermined.
- 4.83 Most forms of non-residential developments do not appear to have any difficulty absorbing the additional costs associated with meeting the objectives of the NZC DPD. These schemes do not have as many plan policy requirements as residential and it is therefore to be expected that the modest increase in construction costs can be absorbed. In the short term, office (B1) developments are on the margins of viability and should be able to absorb the NZC DPD requirements over the medium term assuming growth in capital values in excess of construction cost inflation.
- 4.84 It should also be noted that the costs of achieving NZC is very likely to fall over time, as improvements in technology emerge as a result of research and development by the housebuilding industry. These developments are likely to accelerate as standards increase to meet the government's emerging Future Homes standards.
- 4.85 The Regulation 18 version of the DPD implied the applicability of the policies to small scale development such as domestic outbuildings as small as 15sqm and small scale non-residential buildings including small-scale non-residential extensions. The threshold for the applicability of the policies has now been amended and clarified and only now includes developments of 1 dwelling or more or 1000sqm of floorspace. The amended threshold seeks to strike an appropriate balance between policies to maximise carbon emission reductions and the available resource within the Council to assess planning applications against Net Zero planning policies.

### Proposed changes to the DPD

- The Viability Study evidence has been reviewed and updated having regard to the detailed viability comments. A review and response to the consultation responses is included at Appendix 10 of the updated viability report.
- The Viability Study evidence has been reviewed and updated to reflect the revised draft DPD policies. The cost uplift associated with the revised DPD policies has also been reviewed.
- Whilst the majority of development scheme typologies remain viable, the results of the updated viability appraisals continues to indicate that some schemes will not be able to meet the emerging NZC DPD policies alongside meeting the full policy requirement for affordable housing. The updated DPD policies (NZC1) now identify that where full compliance is not feasible or viable proposals must demonstrate that carbon reduction to the greatest extent feasible have been considered and incorporated. The NZC DPD cross refers to existing Policy DM2 ( ‘Assessing Viability’). This gives the Council the ability to balance the need to provide affordable housing (or other policy requirements) against NZC objectives and ensure that the delivery Local Plan overall is not undermined.

### **Sustainability Appraisal**

- 4.86 Comments have been made on the Sustainability Appraisal (SA). These comments state that ‘do nothing’ and ‘follow the national approach to improved energy efficiency requirements’ should be tested in the SA as reasonable alternatives.
- 4.87 The Sustainability Appraisal has been updated to include ‘Do Nothing’ and ‘National Approach to Improving Energy Efficiency’ scenarios. The Do-Nothing scenario will progress towards net zero carbon for 2050 with positive effects but some uncertainties of significance. The National Approach will not implement stricter standards on energy efficiency in buildings until 2025. The main reason for progressing the NZC DPD rather than the Do-Nothing or the National Approach to Improving Energy Efficiency is that the strategy set out in the DPD progresses the Council’s climate change commitments. The other two scenarios do not progress the Council’s commitments for becoming a net zero carbon organisation by 2025 and facilitating the total carbon emissions within Warwick District as close to zero as possible by 2030. There is some evidence to suggest that taking such a proactive approach now will reduce the costs of dealing with climate change later.
- 4.88 Comments were received from Natural England and Historic England in response to the SA Scoping Consultation. The Environment Agency was also consulted but did not provide any comments. Note the comments made by Natural England and Historic England were not in response to the draft DPD or draft SA published for consultation.

- 4.89 Natural England agrees with the described approach, SA Framework questions, significance key and SA report contents.
- 4.90 Historic England is fully supportive of the District Council's commitment to becoming a zero-carbon organisation by 2025 and considered the screening opinion findings of the Net Zero Carbon DPD acceptable.
- 4.91 Historic England made further comments in May 2021 with regard to the Draft DPD at that stage. These comments may be summarised as:
- Historic England is disappointed as to the lack of reference to the historic environment in the DPD
  - The DPD should reference the retention and reuse of buildings as many policies seem to only relate to new development
  - The DPD should encourage and recognise the benefits of sympathetic restoration, retention and refurbishment and retrofitting of historic buildings
  - Policies should adopt a whole-building approach looking first at current performance, non-invasive measures and lastly physical interventions
  - Distinguish between modern and historic fabric
- 4.92 Historic England identify a number of publications with guidance on energy efficiency and renewables in the historic environment.
- 4.93 In response to the comments raised by Historic England and others regarding existing buildings, a new policy, NZC4, has been introduced.

#### Proposed changes to the DPD

- The SA has been updated to include the 'Do Nothing' and 'National Approach to Improving Energy Efficiency' scenarios as reasonable alternatives in the SA and provides justification for progressing the DPD as it will progress the Council's climate change commitments.
- A new policy NZC 4 for existing buildings has been included

## 5 Conclusion

- 5.1 Following Edgars' and Bioregional's review of the Net Zero Carbon DPD June 2021 Consultation documents and the Regulation 18 consultation comments, the following sets out a summary of the proposed changes to the DPD under each of themes identified. This is then followed by a table which presents the Regulation 18 Consultation Draft Policy Wording alongside the proposed amended policy wording.

### **Embodied Carbon (construction materials)**

- New policy (NZC 3) for embodied carbon assessments on major development which illustrates how the embodied carbon of proposed materials and construction methods have been considered and reduced where possible.
- This new policy also includes the provision of a whole-life carbon assessment of materials on developments >50 dwellings, or 5,000sqm of commercial floorspace.

### **Energy Hierarchy**

- Sequential approach to the energy hierarchy made explicit within Policy NZC1 and through the supporting text.
- Minimum on site carbon reduction targets included in Policy NZC1, and performance targets for the energy efficiency through policy NZC2(A) and zero and low carbon energy sources and technology through policy NZC2(B) to ensure appropriate carbon emission reductions are delivered at each these stage of the energy hierarchy. These are expressed as a % reduction in carbon emissions per stage of the hierarchy. For new dwellings the proposed on-site carbon reductions reflect the fabric efficiency standards at least in line with the 2025 version of Part L that has been released indicatively by the government (The Future Homes Standard).
- Policies and supporting text amended to refer to the uplift to Building Regulations Part L 2021.

### **Carbon Offsetting**

- Sequential approach to the energy hierarchy made explicit within Policy NZC1 so that offsetting is the last option, by requiring minimum achievements in earlier steps before offsetting will be considered an acceptable solution.
- The location of 'local off-site offsetting schemes' has been clarified as Warwickshire and neighbouring authority Coventry to provide sufficient flexibility for potential offsetting schemes.

- The policy refers to a set standard of calculating the carbon price, determined by using the central figure from the Treasury Green Book data from BEIS.
- The amended policy now has due regard to any residual emissions identified through the performance gap assessments (undertaken at the planning design stage and pre-occupation). Included in the policies and supporting text are industry-standard methodologies for design and as-built energy modelling with explanation of the 'performance gap' realised post-completion and determined through 'assured performance testing'.
- Policy number change to reflect policy changes elsewhere in the DPD from NZC2(D) to NZC2(C).
- Clear definition of energy performance methodologies e.g. SAP and SBEM which are included in the amended policies; and referenced in the glossary and supporting text.

#### **Supply chain deliverability**

- The policies have been updated to reflect the imminent introduction of changes to the building regulations (Part L 2021).
- Additional evidence accompanies the DPD in the form of the Bioregional Warwick DC Zero Carbon DPD Energy and Sustainability Policy Review.

#### **Performance gap / enforceability**

- Clarification added in the Aims and Objectives of the DPD that it relates only to carbon emissions resulting from energy use in buildings known as regulated energy, which results from fixed building services and fittings (space heating, cooling, hot water, ventilation and lighting) and is assessed through SAP or SBEM calculations.
- The supporting text to policy NZC1 sets out the planning mechanism and timings to measure the performance gap, and the methodologies that are acceptable (SAP, SBEM PHPP).

#### **Transport related emissions**

- Clarification added in the Aims and Objectives of the DPD that it relates only to carbon emissions resulting from energy use in buildings known as regulated energy, which results from fixed building services and fittings (space heating, cooling, hot water, ventilation and lighting) and is assessed through SAP or SBEM calculations.

### Existing buildings/retrofit

- Policies NZC1 and NZC2 (A, B and C) amended to clearly set out the types of development to which these policies apply in.
- New policy NZC 4 for existing buildings.

### Biodiversity measures

- Clarification added in the Aims and Objectives of the DPD that it relates only to carbon emissions resulting from energy use in buildings known as regulated energy, which results from fixed building services and fittings (space heating, cooling, hot water, ventilation and lighting) and is assessed through SAP or SBEM calculations.

### Policy flexibility

- Policies NZC1, NZC2A, NZC2B and NC2C updated to ensure wording consistent with national planning policy and retain flexibility within the policies to account for instances where complying with the policies is not feasible or viable having regard to the type of development involved and its design. The policy wording requires that where full compliance with the policies is not feasible or viable proposals must demonstrate through the energy statement that additional renewable, zero and low carbon energy technologies have been provided to the greatest extent feasible and viable.
- Policy NZC2 (E) removed but cross reference to adopted Local Plan Policy DM2 reference to requirements that viability will be robustly tested in accordance with Policy DM2.

### Local circumstances

- Additional evidence accompanies the DPD in the form of the Anthesis – South Warwickshire Climate Action Support Report June 2021 and Bioregional Warwick DC Zero Carbon DPD Energy and Sustainability Policy Review.
- The following points have been added to the supporting text to bolster the justification for the DPD by offering evidence that the UK's current rate of carbon reductions, including those that would be achieved by existing national building regulations, would be not enough to stay within the UK's legislated carbon budgets, get to net zero by 2050, or avoid the worst impacts of climate change:
  - IPCC subsequent reports (after 2018) on progress in carbon emissions and the limited carbon budget remaining to avoid the worst impacts of climate change

- The UK's interim legislated five-yearly carbon budgets which reduce significantly between now and the net zero 2050 date (which are devised by the Committee on Climate Change based on extensive evidence and industry analysis, and are then written into law by parliament)
- Committee on Climate Change latest reports showing (link) that nation-wide policies (including current building regulations) are not enough to deliver the UK's legally binding carbon budgets in coming years
- Committee on Climate Change recommendation (link) that that to reach the UK's legally binding carbon budgets, new homes should be designed to have a heat demand of only 15-20kWh/m2/year (which is much lower than the figure that would result from minimum compliance with current building regulations)
- The recent government response to the Future Homes Standard consultation confirming that there is no intent (at least in the immediate term) to remove local planning authorities' power under the Planning and Energy Act to require energy efficiency standards that are tighter than those in national building regulations
- The UK's international commitment via the Paris Agreement to play its full role in reducing carbon emissions to an extent that would limit climate change to no more than 2°C and pursue a limit of 1.5°C.

### **Viability of development**

- The Viability Study evidence has been reviewed and updated having regard to the detailed viability comments. A review and response to the consultation responses is included at Appendix 10 of the updated viability report.
- The Viability Study evidence has been reviewed and updated to reflect the revised draft DPD policies. The cost uplift associated with the revised DPD policies has also been reviewed.
- Whilst the majority of development scheme typologies remain viable, the results of the updated viability appraisals continues to indicate that some schemes will not be able to meet the emerging NZC DPD policies alongside meeting the full policy requirement for affordable housing. The updated DPD policies (NZC1) now identify that where full compliance is not feasible or viable proposals must demonstrate that carbon reduction to the greatest extent feasible have been considered and incorporated. The NZC DPD cross refers to existing Policy DM2 ( 'Assessing Viability'). This gives the Council the ability to balance the need to provide affordable housing (or other policy requirements) against NZC objectives and ensure that the delivery Local Plan overall is not undermined.

## Sustainability Appraisal

- The SA has been updated to include the 'Do Nothing' and 'National Approach to Improving Energy Efficiency' scenarios as reasonable alternatives in the SA and provides justification for progressing the DPD as it will progress the Council's climate change commitments.
- A new policy NZC 4 for existing buildings has been included.



## 6 Proposed Policy Changes

Consultation Draft 2021 Policy	Proposed Amended Policy	Proposed Amendment Summary
<p><b><u>Policy NZC1: Achieving Net Zero Carbon Development</u></b></p> <p>New development should achieve net zero carbon emissions. To do achieve this, developments will be expected to demonstrate that three critical elements have been considered holistically:</p> <ol style="list-style-type: none"> <li>1. Reduce energy demand by bringing forward and implementing proposals that minimise demand for energy in operation taking account of up to date technology that enables occupants to live in ways that minimise energy demands and energy efficient layout and design</li> <li>2. Incorporate and utilise zero or low carbon energy sources, taking account of the availability and/or potential for large scale, low carbon energy sources and by incorporating passive and renewable energy sources within the</li> </ol>	<p><b><u>Policy NZC1: Achieving Net Zero Carbon Development</u></b></p> <ol style="list-style-type: none"> <li>1. New development of one or more new dwellings (C3 or C4 use class) and/or 1,000sqm of new non-residential floorspace, hotels (C1 use class) and residential institutions (C2 use class) should achieve net zero operational regulated carbon emissions by implementing the energy hierarchy.</li> <li>2. Proposals should demonstrate application of the energy hierarchy through submission of an energy statement which demonstrates: <ol style="list-style-type: none"> <li>i. For new dwellings, a minimum 63% reduction in carbon emissions is achieved by on-site measures, as compared to the baseline emission rate set by Building Regulations Part L 2021 (SAP 10.2).</li> <li>ii. In non-domestic buildings, achieve at least a 35% reduction in carbon emissions through on-site measures compared to the rate set by Building Regulations 2013 (or equivalent</li> </ol> </li> </ol>	<p>The policy has been redrafted to require demonstration that the energy hierarchy has been applied in development proposals.</p> <p>The policy is now explicit to regulated energy usage and carbon emissions stemming from them.</p> <p>This policy also sets the threshold for developments which need to comply with Policies NCZ1-2(A-C).</p> <p>The policy sets measurable targets for on-site carbon emission reductions against Building Regulation Part L 2021. The 63% reduction of carbon emissions on 2021 Building Regulations reflects the Future Homes Standard which is set to be introduced from 2025.</p> <p>A 35% reduction in carbon emissions has been applied to non-residential buildings in line with the Future Buildings Standard.</p>

<p>development. Where fossil fuel based energy sources must be utilised, the technology incorporated within developments should ensure proposals are “zero carbon ready”</p> <p>3. Offset any residual carbon to bring the total operational carbon emissions to net zero. Offsetting should be delivered within or as close as possible to the development.</p> <p>Policy NZC2(A-D) sets out the detailed policy requirements for new development</p>	<p>percentage reduction on Building Regulations 2021).</p> <p>iii. Demonstrate use of the energy hierarchy through compliance with the energy efficiency and renewable energy provisions set by policies policy NZC2(A) &amp; (B) and by presenting the carbon savings achieved across each step of the energy hierarchy (demand reduction, efficient supply, renewable and other low-carbon technology).</p> <p>iv. Any residual operational regulated carbon emissions (over the course of 30 years) will be calculated and offset to zero in accordance with policy NZC2(C). Offsetting will only be considered an acceptable solution to net zero carbon requirements if it can be demonstrated that carbon reductions achieved via on-site measures (and near-site renewables) are demonstrably unfeasible or unviable.</p> <p>Where full compliance is not feasible or viable having regard to the type of development involved and its design, proposals must demonstrate through the energy statement that carbon reductions to the greatest extent feasible have been considered and incorporated through applying the energy hierarchy. In applying the energy hierarchy, proposals are expected to implement fabric energy efficiency and low</p>	<p>To be consistent with national planning policy, flexibility is retained within the policy to account for instances where complying with the policies can be demonstrated to be not feasible or viable, having regard to the type of development involved and its design.</p> <p>Information surrounding the measurement of the performance gap has been updated to use methodologies which accurately measure energy performance at design and construction stages.</p>
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	<p>carbon heating before incorporating renewable electricity generation and then offsetting.</p> <p>A condition will be applied to planning permissions requiring as built SAP or SBEM calculations to be submitted prior to occupation and demonstrating that the finished building meets the standard set in Policy NZC1.</p>	
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<p><b><u>Policy NZC2(A) Making buildings energy efficient</u></b></p> <p>Using the most up to date Standard Assessment Procedure (SAP) developments should demonstrate improved energy efficiency in design and operation of 75% over and above 2013 building regulations standards.</p> <p>Measurement of energy efficiency performance and carbon emissions should be carried out in accordance with the performance metrics set out in the Government's response to the Future Homes Standard consultation (January 2021) or any subsequent set of metrics required through the Building Regulations.</p> <p>To demonstrate the validity of the energy efficiency performance, proposals will be required to provide certified energy performance through a nationally recognised building standard.</p> <p>Certification to a nationally recognised standard to demonstrate the predicted energy performance across the entire development should be provided as part of any reserved</p>	<p><b><u>Policy NZC2(A) Making buildings energy efficient</u></b></p> <p>New development of one or more new dwellings are expected to demonstrate a 10% improvement on the Part L 2021 Target for Fabric Energy Efficiency (set by SAP10.2).</p> <p>New developments of 1,000sqm or more of new non-residential floorspace are expected to demonstrate that they achieve a 19% reduction in carbon emissions compared to Part L 2013 through energy efficiency measures (fabric efficiency, efficient services and efficient energy supply; steps 1 and 2 of the energy hierarchy).</p> <p>Where full compliance is not feasible or viable having regard to the type of development involved and its design, proposals must demonstrate through the energy statement that carbon reductions to the greatest extent feasible through energy efficiency measures have been considered and incorporated.</p> <p>All energy statements must also lay out the U-values and airtightness of the proposed building in comparison to the notional values in the Future Homes Standard or Future Building Standard</p>	<p>This policy now mandates a % improvement on the energy efficiency of the building as step 1 of the energy hierarchy. This contributes significantly to lowering the demand from new buildings on energy infrastructure and potential costs and emissions required from retrofitting.</p> <p>To be consistent with national planning policy, flexibility is retained within the policy to account for instances where complying with the policies can be demonstrated to be not feasible or viable, having regard to the type of development involved and its design.</p> <p>The policy is updated to include a development threshold for when the policy applies.</p> <p>Information relating to the performance gap has been moved to the supporting text under NZC1, as this related to the newly imposed condition for pre-occupation measurement of carbon emissions. The supporting text has been updated with the relevant methodologies for calculating energy efficiency to provide clarity on how carbon</p>
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<p>matters application, full application, Section 73 application or section 96a (non material amendment) application, to evidence the passive and energy efficient design for building performance.</p> <p>To ensure the performance gap between design and construction is minimised, applicants will be required to demonstrate, prior to occupation, that building performance on completion has been tested through the most up to date Standard Assessment Procedure (SAP) and that any energy efficiency performance gap between design and construction is identified and the resulting additional carbon emissions are calculated. Where this results in additional carbon emissions over and above those identified in the design, Policy NZC2(D) will apply.</p>	<p>(indicative specification, or final, as available at time of application).</p>	<p>emissions will be calculated and presented through applications.</p>
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<p><b><u>Policy NZC2(B) Zero or Low Carbon Energy Sources</u></b></p> <p>Proposals for new development must include an energy statement which demonstrates that zero and low carbon sources of energy have been considered and, where possible, incorporated or utilised in the development.</p> <p>Specifically, the energy statement should give full consideration to the following:</p> <ul style="list-style-type: none"> <li>• The potential for onsite renewable energy generation</li> <li>• Utilisation of onsite heat sources</li> <li>• Utilisation of any existing or planned local offsite renewable energy generation including renewable energy Power Purchase Agreements or direct off-grid connections to renewable energy generation</li> <li>• Utilisation of any existing or planned heat networks</li> <li>• Other low carbon energy sources.</li> </ul>	<p><b><u>Policy NZC2(B) Zero or Low Carbon Energy Sources and Zero Carbon Ready Technology</u></b></p> <p>New development of one or more new dwellings and/or 1,000sqm of new non-residential floorspace should demonstrate through an energy statement that additional renewable, zero and low carbon energy technologies have been provided on-site* to achieve the carbon reductions required by Policy NZC1 and achieve on-site net zero operational carbon wherever possible.</p> <p>Where full compliance is not feasible or viable having regard to the type of development involved and its design, proposals must demonstrate through the energy statement that additional renewable, zero and low carbon energy technologies have been provided to the greatest extent feasible and viable.</p> <p>Where full compliance with this policy is not feasible or viable having regard to the type of development involved and its design proposals should incorporate 'zero carbon ready' (as opposed to immediately 'low/zero carbon') technologies.</p>	<p>This policy now mandates the incorporation of on-site renewable zero and low carbon sources to achieve the carbon reductions required by Policy NZC1 and achieve on site net zero operational carbon wherever possible. This again contributes significantly to lowering the energy demand from new buildings and the burden on energy infrastructure.</p> <p>To be consistent with national planning policy, flexibility is retained within the policy to account for instances where complying with the policies can be demonstrated to be not feasible or viable, having regard to the type of development involved and its design.</p> <p>The policy now requires consideration of zero carbon ready technologies where provision of Zero or Low Carbon Energy Sources is not feasible or viable.</p> <p>The policy is updated to include a development threshold for when the policy applies.</p>
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<p>Alternatives to fossil fuels (such as heat pumps) should be used for heating in all housing unless the costs or configuration of the development can be demonstrated to make this unviable or impractical. Use of fossil fuels as sources of energy should be avoided unless it can be clearly demonstrated that:</p> <ul style="list-style-type: none"> <li>a) renewable or low carbon options are unviable (in terms of cost of installation or in terms resulting in running costs which could result in fuel poverty); or</li> <li>b) the nature of the use is such that renewable or low carbon options are unable to fully meet the energy demands.</li> </ul>	<p>*this may include off site existing or planned zero, low carbon or renewable energy generation or heat network provision where there is a direct off-grid connection to the development which has capacity to serve the development.</p>	
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<p><b><u>Policy NZC2(C) Zero-Carbon-Ready Technology</u></b></p> <p>Where the energy statement required in policy NZC2(B) demonstrates that renewable or low carbon options are unable to fully meet demand or are unviable, developments will be required to incorporate “zero carbon-ready” technology that will allow future decarbonisation of energy as the national energy grids or any other local energy sources decarbonise.</p> <p>Where fossil fuel based energy sources are utilised, residual emissions will be offset through NZC2(D) below.</p>	<p>Removed – covered in policy NCZ2(B) see note above.</p>	<p>Removed – the requirement to consider Zero Carbon Ready Technology is now included in policy NCZ2(B) see note above.</p>
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<p><b><u>Policy NZC2(D): Carbon Offsetting</u></b></p> <p>Where a development proposal cannot demonstrate that it is net zero carbon at the point of determination of planning permission, it will be required to address any residual carbon emissions by:</p> <p>1) a cash in lieu contribution to the District Council's carbon offsetting fund</p> <p>or</p> <p>2) at the Council's discretion, a verified local off-site offsetting scheme, provided that the scheme is properly quantified and is verified by the Warwickshire County Council's Ecology team. The delivery of any such scheme must be local and guaranteed.</p> <p>Contributions to an offsetting scheme shall be secured through Section 106 Agreements. The Council will maintain Supplementary Planning Guidance setting out how contributions will be utilised.</p> <p>Developers will be expected to set out and evidence anticipated carbon emissions for developments taking account of emissions</p>	<p><b><u>Policy NZC2(C): Carbon Offsetting</u></b></p> <p>Where a development proposal of one or more new dwellings and/or 1,000sqm of new non-residential floorspace cannot demonstrate that it is net zero carbon, it will be required to address any residual carbon emissions by:</p> <p>1. a cash in lieu contribution to the District Council's carbon offsetting fund</p> <p>and/or</p> <p>2. at the Council's discretion, a verified local off-site offsetting scheme. The delivery of any such scheme must be within Warwickshire and Coventry, guaranteed and meet relevant national and industry standards. If it is a nature-based carbon sequestration scheme, then it must be backed by the national government's Woodland Carbon Code initiative (or future replacement/equivalent national scheme) and meet the Warwickshire ecosystem service market trading protocol.</p> <p>Contributions to an offsetting scheme shall be secured through Section 106 Agreements</p>	<p>More information is provided on the calculation of carbon offsetting, including the carbon value to be used in calculations.</p> <p>The policy is updated to include a development threshold for when the policy applies. Further information is provided on the definition of 'local' offsetting schemes and amended to include Warwickshire and Coventry to provide flexibility in delivery.</p>
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<p>during the operational/occupied phase of the building's life and during demolition if it is reasonable to expect this to occur within 30 years. In determining the level of the development's carbon emissions assessments should consider all emissions that will occur within 30 years of completion.</p> <p>Where "zero-carbon ready" technology is incorporated within the building, associated carbon emissions will be calculated in accordance with the stated national trajectories for the carbon reduction of the relevant energy sources.</p> <p>Where the SAP undertaken at completion shows that there is a performance gap between the design and the performance of the completed building, carbon offsetting contributions will be required to reflect any associated additional carbon emissions not accounted for at the point of determination of the planning application.</p>	<p>and will be required paid prior to the occupation of the development.</p> <p>The amount of carbon to be offset will be calculated according to the SAP or SBEM carbon emissions submitted in the energy statement required under policy NZC(1). This must then be multiplied to reflect emissions over a period of 30 years from completion. Where "zero-carbon ready" technology is proposed, associated carbon emissions should be calculated in accordance with the stated national trajectory for carbon reduction of the energy source (i.e. annual <a href="#">Treasury Green Book BEIS projections</a> of grid carbon intensity or future national equivalent).</p> <p>The carbon offset contribution amount will be calculated within the energy statement at the submission of the application. It must then be recalculated at completion and pre-occupation. Where assessment undertaken at completion shows that there is a performance gap between the design and the performance of the completed building, carbon offsetting contributions will be required to reflect any associated additional carbon emissions not accounted for at the point</p>	
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	<p>of determination of the planning application and an adjusted payment made if necessary.</p> <p>The carbon offset price is the central figure from the <a href="#">nationally recognised non-traded valuation of carbon</a>, updated annually as part of the Treasury Green Book data by BEIS.</p> <p>Funds raised through this policy will be ringfenced and transparently administered by the Council to deliver a range of projects that achieve measurable carbon savings as locally as possible, at the same average cost per tonne. The fund's performance will be reported in the Authority Monitoring report on: amount of funds spent; types of projects funded; amount of CO<sub>2</sub> saved.</p>	
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	<p><b><u>NZC3 Embodied Carbon (New policy)</u></b></p> <p>New major development should demonstrate in the energy statement or design statement how the embodied carbon of the proposed materials to be used in the development has been considered and reduced where possible, including with regard to the type, life cycle and source of materials to be used.</p> <p>Proposals for development of 50 or more new dwellings and/or 5,000sqm of new non-residential floorspace should be accompanied by a whole-life assessment of the materials used.</p>	<p>Due regard and consideration to embodied carbon is now reflected in this new policy. This is directed at major development, which has the propensity to conduct such assessments and thus is feasible, and the scales at which the policy applies means the additional costs of such assessments are viable.</p>
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	<p><b><u>NZC4 Existing Buildings (New policy)</u></b></p> <p>All developments should demonstrate a consideration to sustainable construction and design in accordance with Local Plan Policy CC1. In addition all development should consider alternatives to conventional fossil fuel boilers. This should be explored through a Low/Zero Carbon assessment of low carbon options within the submitted application documents.</p> <p>Development proposals which would result in considerable improvements to the energy efficiency, carbon emissions and/or general suitability, condition and longevity of existing buildings will be supported, with significant weight attributed to those benefits.</p> <p>The sensitive retrofitting of energy efficiency measures and the appropriate use of micro-renewables in historic buildings, including listed buildings and buildings within conservation areas will be encouraged, providing the special characteristics of the heritage assets are conserved in a manner appropriate for their significance.</p>	<p>With regard to existing buildings, NZC1 does not apply to existing buildings as the cost and feasibility of retrofitting existing buildings to the ambitious standards of NZC1 are so variable making it very difficult to demonstrate they are feasible and viable.</p> <p>To further support sustainable construction policies within the adopted Warwick Local Plan this policy provides positive weight to developments which can improve the buildings energy efficiency and reduce carbon emissions through low or zero carbon technologies.</p>
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## 7 Consultation Representations

Net Zero Carbon (NZC) Development Plan Document (DPD) Report of Public Consultation

	Ref	Consultee	Consultee Position	Consultation Comment	Identified CORE THEME - Refer to Section 4 for response	Response	Proposed Amendment Please refer to Section 4 of the Consultation Response Report for a full response to identified themes and proposed amendments.
1	72093	Individual	Support	I fully support the new net zero development plan document. I remain anxious that developers may prefer to pay for offsetting instead of tackling the net zero aim for future housing. Offsetting must be the more expensive alternative and only allowed if the net zero objectives are genuinely impossible to meet in full.	<b>Energy Hierarchy</b>	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to the identified theme.	
2	72079	Individual	N/A	Section 3: The Planning Policy Context: The NPPF was last updated on 21 <sup>st</sup> July 2021.		Thank you and noted - the DPD will be updated with the latest NPPF paragraph numbers and text	NPPF references updated to 2021 version
	72080	Individual	Mixed	Section 9 Viability: If the development cannot be made viable and therefore actively harms the Council's ambitions to reach net zero then it shouldn't be allowed. In the least, sales value should not be an excuse for not complying.	<b>Viability of development</b>	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
3	72090	Individual	Mixed	The draft policy states that its target is as close as possible to net zero emissions produced within Warwick district by 2030.		Thank you for your response to the consultation	
				1. The inclusion of "as possible" means your performance against this target cannot be measured because you can always claim something has not been possible. Therefore, "as possible" should be removed.	<b>Policy flexibility</b>	Thank you for your comments on the phrasing and wording of the DPD. We are reviewing such comments in line other consultation responses and suggested amendments to the DPD following the Regulation 18 consultation. NPPF para 157 requires development to comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable.	
				2. Limiting the target to emissions produced within Warwick district means that you can meet the target by moving emissions production (e.g. a factory) to anywhere outside the district, thus not actually contributing to net zero globally at all. Instead, your target should be for all final outputs consumed in Warwick district to have net zero emissions, thus taking account of their global carbon impact.	<b>Embodied Carbon</b>	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
				I expect that both these changes mean you would need to do more, sooner to meet net zero or to push the target zero (sic) date back.		Thank you for your response to the consultation	
				If you do not make these changes, it would suggest your net zero policy is a sham.		Thank you for your comments in regard to the scope, phrasing and wording of the DPD. We are reviewing such comments in line other consultation responses and suggested amendments to the DPD following the Regulation 18 consultation.	
4	72088	Individual	Support	I'm fully in favour of houses being built to have net zero carbon.		Thank you for your response to the consultation	
5	72089	Individual	Support	Since all new cars are to be zero-carbon, it would seem to make sense that all new houses should also be zero-carbon.		Thank you for your response to the consultation	
6	72081	Individual	Mixed	Section 1 The Local Context: Climate Change and environmental (sic) degradation are the 2 most important issues facing our societies. Our children and grandchildren urgently need the current generations (sic) to act now to slow down and reverse the damage done over recent decades.		Thank you for your response to the consultation	
				The commitments are commendable but there is little about reducing vehicle emissions and few links to the environmental destruction of flora and fauna.	<b>Transport related emissions</b>	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to the transport and biodiversity.	

				I have followed WDC's appalling planning decisions over the last few years. Wilful destruction of the greenbelt, weak enforcement of planning conditions and bending over backwards to enable HS2 etc. Both the Planning function and the Committee need to improve.		Comment acknowledged	
7	72092	Individual	Support	I would like to register that I thoroughly support the aims and objectives of the proposed Net Zero Carbon policy.		Thank you for your response to the consultation	
				On an initial reading of the document, it appears to be well thought-out (sic) (including a sensible reference to avoiding creation of fuel poverty) but entirely focussed on carbon during occupation and use of buildings. Would it also be worthwhile to consider embedded carbon in the construction phase, and to encourage the use of renewable or low-carbon construction materials?	<b>Embodied Carbon</b>	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
8	72082	Individual	Support	Section 1 The Local Context: Modern society, despite products becoming more energy efficient, is still demanding more energy. Society wishes to reduce reliance on fossil fuels, but renewables will only be able to satisfy some of the energy demands. By reducing energy consumption this makes that goal a lot more achievable. We can either make moderate changes to society now, balancing our accustomed lifestyle with sustainability, or leave it until later when changes to our lifestyle will have to be more drastic. Drastic changes could include retrofitting houses. So by making homes more energy efficient now will save money and energy in the longer run.	<b>Energy hierarchy</b>	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
9	72091	Individual	N/A	<u>I can confirm that HS2 Ltd have no specific comments to make on this consultation. However, we note the council's aspirations and would advise that HS2 will also support the UK's transition to a net zero carbon economy (further information can be found here <a href="https://www.hs2.org.uk/why/carbon/">https://www.hs2.org.uk/why/carbon/</a></u>		Thank you for your response to the consultation	
10	72083	Theatres Trust	Support	Section 1 The Local Context: Theatres Trust has signed up to the Culture Declares Emergency campaign and has set out commitments to help influence and improve the sector's (sic) sustainability. The district contains theatres including the Priory and Talisman in Kenilworth, Bridge House and Warwick Hall in Warwick and the Loft Theatre in Leamington Spa. These are vital cultural and community spaces that enable local people to enjoy live performance and contribute to wellbeing, inclusion and placemaking. Theatres, like all public buildings, have an impact on the environment so efforts to improve their sustainability will generally be supported. To that end the Trust has made grants available to theatres undertaking such projects and we are a source of free advice and support where works are proposed.			
				Therefore we are supportive of this DPD coming forward and the additional policy and guidance it provides to applicants.		Thanks and noted - we applaud the effort and commitment by the Theatres Trust to improve the sectors sustainability.	
11	72096	Individual	Unclear	Stop with the Fraud!!!			
12	72094	Individual	Mixed	There is a great deal of damage to undo and past squandering of mistakes to make up for, not least the arrogant and deeply narrow minded revocation in 2016 of the previous central Government's policy of requiring net zero new builds before now.		Thank you for your response to the consultation	
				It is now imperative that all new builds are net zero, and not just in their design and operation/use but in their construction as well. Current general practice in construction is far from net zero and must move to net zero with urgency.	<b>Embodied Carbon</b>	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
				What sanctions/penalties will be applied to those developments that fall short of standards that will be agreed at planning permission? Hopefully they will be obliged to fund and perform works necessary to bring such developments to the agreed standards.	<b>Performance gap</b>	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	



				I am concerned that NZCZ ( B) and ( C) provide potential loopholes and therefore need to be both rigorously enforced and resourced to ensure they are enforced. Equally the certification of compliance post-construction must be properly resourced to ensure its effectiveness.	Performance gap	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
				Finally, I certainly welcome this initiative but remain deeply concerned on the lack of concrete policies to address the existing housing stock.	Existing housing / retrofit	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
13	72084	Individual	Support	Section 5: Aiming for net zero carbon is one of the most important things we can do as an area and as a country. We need to stop allowing short term (financial) gains to be the major voice in new house building especially.		Thank you for your response to the consultation	
	72085	Individual	Support	Section 6: A good range of options and a good focus on sustainable solutions. Agree that we need to be am (sic) to us and hold developers to a high standard.		Thank you for your response to the consultation	
	72087	Individual	Support	Section 7 Energy Sources: Agree.		Thank you for your response to the consultation	
	72086	Individual	Mixed	Section 8 Carbon Offsetting: Agree that this should be a last resort. Hope that this policy is robust enough to prevent developers finding it worth doing this except in the very few unusual cases.	Energy hierarchy	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
14				<a href="https://warwickdc.oc2.uk/document/116">Please note: This is a brief summary of a long representation. Please read the full response online at: https://warwickdc.oc2.uk/document/116</a>			
	72095	Severn Trent	Support	<b>Policy NZC1: Achieving Net Zero Carbon Development</b> – Severn Trent is supportive of this policy, particularly bullet point 1. One key element of reducing energy demand and carbon impact in households is water usage. One of the key findings of an Environment Agency report named ‘Greenhouse gas emissions of water supply and demand management options’ - link is that “89 per cent of carbon emissions in the water supply - use - disposal system is attributed to “water in the home” and includes the energy for heating water (excludes space heating), which compares with public water supply and treatment emissions of 11 per cent.”		Thank you for your comments. We acknowledge the need for water consumption to be reduced and the impact this will have on mitigating for climate change and carbon emissions.	
				It is therefore pertinent that this policy includes measures to design and build new developments that are fitted with water efficient fittings, meeting the optional requirement in Building Regulations of 110 litres of water per person per day (l/p/d), this goes beyond the 125 l/p/d that is specified in Part G of Building Regulations.		Adopted Local plan policy FW3 states that The Council will require new residential development of one dwelling or more to meet a water efficiency standard of 110 litres / person / day. This includes five litres / person /day for external water usage	
				We recommend that if this is not already a policy within your Local Planning documents that it is updated to be included to support your Net Zero ambitions. We would recommend the inclusion of the following wording:		As above the requested standard is already contained within Local plan policy FW3	
				‘Development proposals must demonstrate that the estimated consumption of wholesome water per dwellings should not exceed 110 litres of water per person per day. ‘		As above the requested standard is already contained within Local plan policy FW3	
				This is supported by National Planning Policy Framework (July 2018) Paragraph 149 which states: “Plans should take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating from rising temperatures. Policies should support appropriate measures to ensure the future resilience of communities and infrastructure to climate change impacts, such as providing space for physical protection measures, or making provision for the possible future relocation of vulnerable development and infrastructure.”		Thank you for your response to the consultation	

15	72110	Individual	Support	Overall, I support the proposals in the consultation document, bearing in mind that, as I understand it, Leamington Spa is an area of high CO2 emissions. There appear to be some potential 'exemptions' in the consultation document which allow the continuation of fossil fuel uses for developers where alternatives are not considered 'viable'. I think the Council should be <u>rigorous</u> in allowing any such exemptions; otherwise, developers will continue to use the cheapest energy installations, irrespective of the emissions.	Viability of development	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
				It is pity that these sorts of considerations were apparently not taken into consideration in the housing developments along and south of Europa Way. So far as I can tell from my research, that housing does not meet any future sustainable environmental standards, and, of course, the developments have sadly led to the destruction of many mature trees along Europa Way and surrounding roads.	Local circumstances	Thank you for your response to the consultation	
				The Net Zero Development Plan relates specifically to buildings, but it should be coordinated with plans for the reduction of emissions from transport/cars etc, which (as per an on-line meeting a few months ago) I believe are the subject of future planning from the County Council. Particular points are:	Transport related emissions	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
				1. There should be 'Park & Ride' facilities to discourage car traffic from the Leamington Spa town centre; I understand that this is already under consideration.	Transport related emissions	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
				2. The installation of electric car charging points in both streets and car parks is vital to future encouragement of the use of electric cars and the consequent reduction of emissions.	Transport related emissions	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
				3. The recent COVID related pedestrianisation of The Parade in Leamington seems to have been well regarded, and it was a shame to see it opened up again to traffic after the Government's 19/7 'freedom day'. Since, previously, there was already limited traffic access on to or off The Parade, and very small amounts of traffic seemed to use it, and it is not a designated A or B road, there seems to be a strong argument to continue the pedestrianisation in the future, (with allowance for disabled access and possibly, bus turning circles at either end), which would contribute to the reduction of emissions in the town centre.	Transport related emissions	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
				4. Further 'traffic calming' measures are needed around the town to constrain emissions - particularly on Willes Road, Newbold Terrace East, and the A452 to the west of the town.	Transport related emissions	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
16	72111	Individual	N/A	The Planning team at the Coal Authority have no specific comments to make on the draft Net Zero Carbon DPD.		Thank you for your response to the consultation	
17	72097	Individual	Support	Section 1: The Local Context			
				These are all crucially essential steps. Time is short and action is urgent.		Thank you for your response to the consultation	
				Section 2: National Context			
	72098	Individual	Support	Frankly, this is all a basic minimum. This must all be done, be done promptly and fully, and with no wriggle-room or get-outs.		Thank you for your response to the consultation	
	72099	Individual	N/A	Section 3: The Planning Policy Context			
				Exactly the same as comment on Ch.2		Thank you for your response to the consultation	
72100	Individual	Mixed		Section 4: Aims and Objectives			
				This is a bare minimum.		Thank you for your response to the consultation	
				Note that: "4.2.3 Objective 3: To support the consideration of low carbon energy sources as part of large scale development proposals." This needs to go beyond 'consideration'!		Thank you for your comments on the phrasing and wording of the DPD. We are reviewing such comments in line other consultation responses and suggested amendments to the DPD following the Regulation 18 consultation	Amend objective to 'Support inclusion of low carbon energy sources'

				The words there should be 'development and implementation'; no wriggle-room, no get-outs.	<b>Policy flexibility</b>	As above	
	72101	Individual	Support	Section 5: Overarching Strategy But of course! No wriggle-room, no get-outs.		Thank you for your response to the consultation	
	72102	Individual	Mixed	Section: Policy NZC1: Achieving Net Zero Carbon Development Re:" a) Considering the potential to utilise large scale renewable or low carbon energy sources such as heat networks or local large-scale renewable energy generation sources, preferably through a direct connect." As before 'considering' is not strong enough - there needs to be more muscle, more bite, to this.		Thank you for your comments on the phrasing and wording of the DPD. We are reviewing such comments in line other consultation responses and suggested amendments to the DPD following the Regulation 18 consultation	Amend 5.32 a) to 'Utilising large scale renewable or low carbon energy sources, where available'.
				Re: offsets - these need looking at carefully so that they are *real* and not 'greenwashing'. The offset industry is full of loopholes - they must not be allowed.	<b>Carbon offsetting</b>	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
	72122	Individual	N/A	<a href="http://www.plainenglish.co.uk/">The consultation documents would not pass the scrutiny of the Plain English Campaign (http://www.plainenglish.co.uk/). This is absolutely not a user-friendly consultation, either in terms of your use of language, or in terms of the level of computer confidence and</a>		Thank you for your comments on the phrasing and wording of the DPD. We are reviewing such comments in line other consultation responses and suggested amendments to the DPD following the Regulation 18 consultation	
				This is <i>not</i> an example of the Council demonstrating a real commitment to involving local people in the decision-making process. It seems to me to be a 'CINO' – consultation in name only, allowing someone in the office to tick a box saying: 'we consulted' . . . but the consultation is neither wide nor significantly 'real'. The section of the population capable of responding in any meaningful way is very small.		Thank you for your response to the consultation	
	18	72112	Individual	<a href="https://warwickdc.oc2.uk/document/116">Please note: This is a brief summary of a long representation. Please read the full response online at: https://warwickdc.oc2.uk/document/116</a>			
				The aspiration to achieve net zero carbon emissions in the District in the coming years is a hugely challenging one. Taking full advantage of the opportunities for achieving zero / very low carbon emissions in new development will be essential if new development is not going to add significant additional carbon emissions to current levels and thus make the task of achieving net zero carbon even more difficult.		Thank you for your response to the consultation	
				The proposed DPD will strengthen local policy in relation to carbon emissions and will help drive the delivery of low/zero carbon technologies in the district and help the development and improvement of zero/low carbon construction approaches.		Thank you for your response to the consultation	
				It is noted that the relevant policies will apply to changes of use and conversions where planning permission is involved. Given that there may be significant differences in approach to conversions as opposed to new build, we wonder whether there could be more information / detail in relation to achieving the standards in the case of conversions.	<b>Existing housing / retrofit</b>	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
				With regards to viability, if the requirements of the policies are challenged on viability grounds, it would be helpful to understand how the zero carbon requirements will be balanced with other planning requirements.	<b>Viability of development</b>	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
				Where carbon offsetting is required / allowed as part of the policy implementation, this should be done in a way which genuinely achieves reduced emissions in the long term and can be verified to do so.	<b>Carbon offsetting</b>	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
19	72103	Individual	Support	I support the Climate Change action plan for all future building developments in and around Warwick. We should ONLY be building green/ eco housing which is in line with the Climate Change Emergency requirements.		Thank you for your response to the consultation	

20	72113	Individual	Support	I am writing to make clear my support for local plans which help the environment and take steps to mitigate the current climate emergency. In my opinion it is by far the greatest danger facing us and we are currently sleepwalking towards a cliff-edge. I hope the council can be bold and decisive in their actions regarding the environment. We do not have a spare natural world and it is abundantly clear how much damage humans have done already. We must take steps to rectify the damage we have done as a matter of urgency and we must implement policies and ways of developing our communities that support the natural world, instead of destroying it.		Thank you for your response to the consultation	
21	72114	Individual	Support	<a href="https://warwickdc.oc2.uk/document/116">Please note: This is a brief summary of a long representation. Please read the full response online at: https://warwickdc.oc2.uk/document/116</a> We support the objectives which have been set, but wondered if the following has been taken into consideration: The greenhouse gases emitted in making the materials which will be used in the construction of new developments. The emissions made when transporting materials to the development sites. The type of materials used not only in the construction of new buildings but supporting infrastructure such as new roads. Promoting use of sustainable travel options in the design of new developments such as cycle lanes and public transport connections.			
					<b>Embodied Carbon</b>	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
					<b>Embodied Carbon</b>	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
					<b>Embodied Carbon</b>	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
					<b>Transport related emissions</b>	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
22	72123	Individual	Support	We strongly support this proposed document, just a few refinements. Ensure statements are definite, such as using the word "must" sustainable active travel should be a core feature with any development. Consider the use of home zones where appropriate, to favour the walking and cycling modes. <a href="http://www.rhs.org.uk/science/conservation-biodiversity/plants-for-bugs">Biodiversity - a crucial part of sustainable development, a good reference document: www.rhs.org.uk/science/conservation-biodiversity/plants-for-bugs</a>			
					<b>Policy flexibility</b>	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
					<b>Transport related emissions</b>	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
					<b>Biodiversity measures</b>	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
23	72124	Oxalis Planning Limited on behalf of Cuvette Property Consulting Limited	Support	<a href="https://warwickdc.oc2.uk/document/116">Please note: This is a brief summary of a long representation. Please read the full response online at: https://warwickdc.oc2.uk/document/116</a> Overall, we agree with the Council's approach to addressing the climate emergency. The policies generally incorporate flexibility, but we believe that Policy NZC2(A) should include clarification on the need to include information regarding energy performance, only where relevant to do so.. NZC2(A) - add 'where relevant to policy wording. Energy performance many not be relevant for all reserved matters, S73, 96a applications.			
					<b>Performance gap</b>	Thank you for your response to the consultation. The developments to which the policies apply are identified at paragraph 5.4 of the Consultation Draft.	Include and clarify the types of development to which the DPD policies apply in Policy NZC1
					<b>Policy flexibility</b>	Thank you for your comments on the phrasing and wording of the DPD. We are reviewing such comments in line other consultation responses and suggested amendments to the DPD following the Regulation 18 consultation. We understand that S73 and S96 applications refer to amendments to existing applications (minor material, and non-material respectively). We would expect the energy information to be resubmitted if the amendment might in any way impact the energy performance of the building. This should include any changes to form, orientation, and glazing value, as well as more obvious energy-related changes such as insulation values, renewables, and heating system. Any of the above could change the amount of energy that would need to be met with renewable supply, or the amount of carbon that would need to be offset. It is for the applicant to demonstrate compliance with the policies.	

24	72125	Individual	Mixed	<a href="https://warwickdc.oc2.uk/document/116">Please note: This is a brief summary of a long representation. Please read the full response online at: https://warwickdc.oc2.uk/document/116</a>			
				Whilst I applaud the ambition of WDC and when successfully completed the DPD will be a GIANT step forward, the current document has too much wriggle room for developers / house builders thus enabling them to deliver their current crap by just adding a heat pump. Doing so will not deliver net zero carbon in use now, will result in larger energy costs for the occupier and will require expensive retrofit in the future.	Energy hierarchy	Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
				Specify only Net Zero Carbon in use No SAP - only use PHPP. This is the Passivhaus Planning Package Offsetting in terms of renewable energy only - no trees - like NONE No gas No hydrogenI strongly suggest that as WDC takes this policy forward that specialist advice is procured from organisations employing people who have done this before.	Performance gap	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
25				<a href="https://warwickdc.oc2.uk/document/116">Please note: This is a brief summary of a long representation. Please read the full response online at: https://warwickdc.oc2.uk/document/116</a>			
				We welcome the DPD as a major step towards ensuring that all “all new developments should be net zero carbon in operation” thus enabling the “achievement of national and local carbon reduction targets”. There are several technical areas which we believe may be improved or amended.		Thank you for your response to the consultation	
				The overall tone of the document is soft. It should be tightened by substituting words such as ‘asking’ with words like ‘must’ to ensure that the policies are given appropriate weight. Phrases such as ‘demonstrates ...have been considered’ (NZC2(B) page 23) should be avoided as they are too vague to be meaningful and allow opponents to the policies to argue for alternatives.	Policy flexibility	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
				The overall policy NZC1 (page 17) is a clearly presented summary of sub-policies but should not include carbon offsetting as one of three critical elements (see below). By presenting offsetting in the first box there is the danger that developers will automatically view this as an option to follow.	Energy hierarchy	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
				There is also no mention in NZC1 of the site and layout of developments despite the phrase “occupants to live in ways that minimise energy demands”. Net zero housing should include the reduction in energy demand that comes with ‘living’ with sustainable active travel. This means considering pedestrian and cycling routes, access to public transport as well as capability to charge EVs.	Transport related emissions	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
				Local Context: There is no direct mention of local residents as stakeholders (1.1. iv page 6) which is odd given that there has been a WDC People’s Inquiry into climate change. The results of the inquiry should be included in the draft DPD to demonstrate local support for zero carbon housing, especially as the second strongest recommendation was “Every new house must be carbon neutral both in construction and in their future use”.		Thank you for your response to the consultation.	Include reference to local residents and stakeholders in Local Context section
				there is little in the draft about biodiversity net gain, apart from a brief reference (2.2 page 9) to the CCC report on tree planting, peatland restoration and green infrastructure.	Biodiversity measures	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	

72126	Kenilworth Town Council	Support	Policy NZC2 (A), as described, seems contradictory in referring to a carbon emissions target of at least 75% reduction figure in a document about achieving net zero carbon. This is essentially saying that up to 25% of emissions will be permitted for offsetting. Also, throughout this section, net zero carbon targets should be defined as energy performance 'in use', although it is important to stress that SAP does not have any relationship with 'performance gap'. SAP is a tool to show compliance with a design standard and not 'performance in use' thus will not be able to ensure the 75% target. Reference to the Future Homes Standard (page 20) in this way is inappropriate because it means this consultation is referring to something to be carried out on the basis of another consultation. This approach cannot therefore ensure net zero carbon or even a 75% reduction in emissions as, ultimately, there is no way of knowing what the Future Homes Standard will contain.	Energy Hierarchy	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
			Regarding note 5.4 The exception to this list is 'extensions/modifications attached to existing dwellings'. This seems anomalous. Kenilworth Town Council's planning committee routinely add a non-mandatory condition to planning applications: "With reference to the WDC Local Plan policy SC0 "Sustainable Communities" and the Kenilworth Neighbourhood Plan policy KP15 "Environmental Standards of New Buildings", Kenilworth Town Council requests that the applicants address matters relating to the environmental impact of the development with the aim of the resulting property, in its entirety, having an improved energy efficiency and water efficiency, where affected, compared to the existing property." The DPD should carry a similar but mandatory condition for extensions and modifications.	Viability of development	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	Include and clarify the types of development to which the DPD policies apply in Policy NZC1
			Energy sources The mention of 'hydrogen-ready' (7.6 page 25) seems optimistic given the Government's UK recently published Hydrogen Strategy <a href="https://www.gov.uk/government/publications/uk-hydrogen-strategy">https://www.gov.uk/government/publications/uk-hydrogen-strategy</a> that shows no plan for widespread domestic hydrogen use before mid-2030s making it difficult over the next few years (at least) for a developer to interpret what 'hydrogen-ready' means. Even if green hydrogen was made available locally by the mid-2030s (and it would have to be green as blue hydrogen would not offer any significant reductions in carbon emissions) this would be too late to contribute to WDC's declared aim of reducing carbon emissions within Warwick District to as close to zero as possible by 2030 (section 1.1.1 ii). Given these problems, we would recommend excluding hydrogen-ready from the document.		Thank you for your comments on the phrasing and wording of the DPD. We are reviewing such comments in line other consultation responses and suggested amendments to the DPD following the Regulation 18 consultation	
			Carbon offsetting. Following the science, latest research shows that carbon offsetting through planting trees will be ineffective in reducing carbon emissions within any of the defined national and local timescales to reach zero carbon emissions. It is also unacceptable for developers to offset carbon emissions through payments to WDC. At current prices (48 euros per tonne), a 30 year, 2 tonnes C/yr calculation would require a developer's payment of just under £2500 per house. Such a modest premium provides no incentive to invest in zero carbon housing and does not make a direct contribution to WDC's zero carbon targets. In any case, the policy suggests that offsetting should only be applied to occupation and demolition and omits the carbon emitted during the construction phase. It is our view that NZC2(D) should be excluded and there should be a new Exceptional Basis clause for offsetting residual carbon emissions (see below) only through payment for on or offsite renewable energy production: i.e. no other form of offsetting will be permitted.	Carbon offsetting	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	



				Viability. [This is erroneously referred to as 'Visibility' in the pdf version]. The way this is presented in the draft has the potential to become a get-out clause for developers. DM2 in the current WDC Local Plan is regularly used by developers to downgrade specifications on developments. Therefore, policy NZC2E needs greater definition. Relevant to this is the associated WDC-commissioned BNP Paribas report which shows that the DPD conditions, if implemented, would raise capital costs for house residential construction by 3-6%. This should be referred to in the DPD as a source of evidence for why financial viability cannot be used as an argument. We believe that Policy NZC2(E) should be excluded in favour of inclusion in an Exceptional Basis clause (see below). It's worth noting that these figures of 3-6% are in any case unlikely to represent a real cost to the developer as they will normally be absorbed into the agreed price for the land (see BEIS Parliament Select Committee meeting with developers, Q259 onwards <a href="http://data.parliament.uk/WrittenEvidence/CommitteeEvidence.svc/EvidenceDocument/Business,%20Energy%20and%20Industrial%20Strategy/Energy%20efficiency/Oral/98021.html">http://data.parliament.uk/WrittenEvidence/CommitteeEvidence.svc/EvidenceDocument/Business,%20Energy%20and%20Industrial%20Strategy/Energy%20efficiency/Oral/98021.html</a> ). Land sellers are unlikely to balk at the absorption of such small costs especially while house price inflation continues to rise.	Viability of development	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
				Exceptional Basis clauses We propose at least two Exceptional Basis clauses to capture the issues of financial nonviability and carbon offsetting. There are precedents for this in other currently drafted Local Plans, for example from the Central Lincolnshire draft plan pages 28-29 ( <a href="https://centrallincs.inconsult.uk/CLLP.Draft.Local.Plan/consultationHome">https://centrallincs.inconsult.uk/CLLP.Draft.Local.Plan/consultationHome</a> ).	Carbon offsetting	Thank you for your comments on the phrasing and wording of the DPD. We are reviewing such comments in line other consultation responses and suggested amendments to the DPD following the Regulation 18 consultation	
26	72127	Individual	Support	I think that all buildings should have Zero carbon built in them. To make it Echo Friendly. And solar panels to make homes green, especially new buildings.		Thank you for your response to the consultation	
27	72109	Individual	Object	Section: 5 Overarching strategy			
				Does not address the key issue of transport to/from properties to the wider community. Robust and viable sustainable transport of people and the delivery of goods/services must be incorporated into the "net-zero" targets. It is completely unacceptable for buildings to be gratuitously built and a few trees planted to "offset" carbon emissions; this is a recipe for corruption.	Transport related emissions	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
	72106	Individual	Object	Section: 7 Energy sources			
				If zero/low carbon heating is not possible then the building will just be cold?	Policy flexibility	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
				Exceptions to allow fossil fuel use will inevitably lead to corruption. If a proposed new building couldn't incorporate a fire escape, would planting a few trees be ok to mitigate this?	Policy flexibility	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
				There appears to be a fundamental lack of understanding on what a climate EMERGENCY actually is. A developer making less profit is no justification; they need to work smarter.	Viability of development	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
	72105	Individual	Object	Section: 9 Viability			
				If this was fire escapes or asbestos cladding Section 9 would not even exist.	Policy flexibility	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
If a project cannot be completed within the building regulations, then it cannot be built?				Policy flexibility	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.		
			Simply another backdoor for corruption.	Policy flexibility	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.		
			Section: Policy NZC2(C) Zero-Carbon-Ready Technology				

	72108	Individual	Object	Proposing that developers just need to plant a few trees and promise to fix things up in future insults voter's intelligence. This is a mechanism for developers to shirk their responsibilities and continue to pollute. If a building cannot be built properly now then just build it later when it can or give up the development opportunity to somebody who can come up with a more imaginative solution.	Carbon offsetting	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
				Making people properly think about a problem is not "red tape" preventing development. However I can see how greedy, lazy developers would be quite upset with this.		Thank you for your response to the consultation	
28	72128	Individual	Mixed	1. Instead of "asking" developers to take energy reducing steps when building housing, there should be an obligation to do so. Developers "must" do what Warwick DC sets out, with no opt out option for developers. The language and expectations need to change and become more stringent. Warwick DC has committed to deliver energy reductions in its Climate Emergency declaration.	Policy flexibility	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
				2. Alongside energy reduction measures, there should be consideration of energy-reducing, sustainable public travel: prioritising public transport, pedestrian and cycling areas over the use of petrol or diesel fuelled cars. Charging points for electric vehicles should be provided widely.	Transport related emissions	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
				3. Net zero carbon targets should be defined as energy performance "in use".	Performance gap	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	Add clearer clarification at the start of the DPD that it relates only to in-use carbon resulting from energy use in buildings.
29	72115	Individual	Mixed	Section 4: Aims and Objectives			
				At last! We should have been doing this years ago.		Thank you for your response to the consultation	
	72116	Individual	Object	The objectives in 4.2 are good but not sufficient. Carbon use generated by the use of buildings is not properly considered. Such as how the site location, density and layout affects travel choices (bus vs cycle vs car vs train). Also, whether the buildings should include provision for cycle storage, e-bike or EV charging facilities. Also, requirements for developments to be designed for optimum bus and cycle access. Also site provision for supporting wildlife or offsetting the loss of habitat.	Transport related emissions	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
				Section: Policy NZC1: Achieving Net Zero Carbon Development			
				This is an emergency. Zero carbon cannot be achieved using low carbon sources. Low is not zero - and how low do you mean? This looks like a get-out option which should be removed.	Energy hierarchy	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme and that of policy flexibility. 'Low' carbon sources include electricity, which already has a lower amount of carbon emissions per kWh than gas, and will eventually reach net zero carbon along with the grid (2035, if the ambitions expressed by the Prime Minister at the recent climate conference are realised).	
	72118	Individual	Object	Carbon offsetting is also problematic and too easily used as a get-out. "Burn now - offset later" should not be an option. Any offsetting for the building construction must be within the time frame of the building construction. Any offsetting required from the use of the building must be equivalent and run at the same time as the carbon usage.	Carbon offsetting	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
				The wording suggests WDC is not seriously committed to this. "Should", "expected" and "considered" do not mean the same as "must", "required" and "delivered". There should be no wiggle room and the policy should be explicit in defining what is required.	Policy flexibility	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
				Policy NZC2(C) Zero-Carbon-Ready Technology			
				"development may include gas heating systems that are "hydrogen-ready" This is highly speculative and should be removed until there is more certainty that zero-carbon hydrogen will actually be supplied within the time frame of this plan.		Thank you for your comments on the phrasing and wording of the DPD. We are reviewing such comments in line other consultation responses and suggested amendments to the DPD following the Regulation 18 consultation. The text is an example of zero carbon ready technology not a requirement	



				If fact this whole policy should only permit national grid electricity as a not-yet fully zero-carbon source.		As above	
	72117	Individual	Object	Section: Policy NZC2(B) Zero or Low Carbon Energy Sources This is an emergency and the policy must be tighter. See previous comments on low carbon & wording style. This policy has too many get-out options - they should, sorry, must, be removed.	Policy flexibility	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
	72119	Individual	Mixed	Section: Policy NZC2(D): Carbon Offsetting Whilst I welcome tree planting for many reasons I question whether the scale of planting, and the required growth rate, can be achieved for significant carbon offsetting. This must not be seen as a get out option for avoiding zero-carbon buildings. We don't want developers, or the council, to see slipping some money into a WDC fund as a way of easing past the zero carbon requirements.	Carbon offsetting	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
	72120	Individual	Object	Section: Policy NZC2(E) Viability This looks like another possible get-out route. It may be that some developments should in fact fail if they cannot be viable. Is this policy wording strong enough to prevent big developers avoiding the commitment to zero carbon?	Viability of development	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
30				We are in a climate emergency. Focus should be on using most effective renewable energy.		Thank you for your response to the consultation	
	72121	Individual	Unclear	1. Imperative to use communal ground source heating systems. One plant for all houses to share and tap into.	Policy flexibility	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme of policy flexibility. Local Plan policies must have a degree of flexibility to ensure that they are application to different types of developments and their context.	
				2. 100% of houses roofs to have solar panels with orientation for optimal solar panels in place of roof tiles.	Policy flexibility	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme of policy flexibility. Local Plan policies must have a degree of flexibility to ensure that they are application to different types of developments and their context.	
				3. Charging points for cars.	Transport related emissions	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
				4. New housing must be close enough to local facilities to encourage cycling and walking.	Transport related emissions	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
				5. Design estate to retain all existing trees and hedges to maintain biodiversity.	Biodiversity measures	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
31				I would like to support your plan for new builds to have zero carbon emissions, and even to strengthen your plan by demanding that developers embed sustainability into their new builds in terms are f renewable energy, trees and wild flowers to support biodiversity.		Thank you for your response to the consultation	
	72155	Individual	Support	We really are at a critical juncture and we must ensure that we do everything to reduce the misery and hardships caused by climate change and biodiversity crash for our children and future generations.		Thank you for your response to the consultation	
				Please do whatever you can to make the future better.		Thank you for your response to the consultation	
32				Section: Policy NZC2(D): Carbon Offsetting			
	72129	Individual	Mixed	In my experience of how developers interpret planning conditions, this offsetting will happen far more often than this policy will expect. It will end up being used as a 'cash incentive' for councils to allow a development that should be refused on the basis of this policy. In Bishop's Tachbrook, AC Lloyd was allowed to offset 'biodiversity' losses by setting aside land far away, in a different district. This cannot be allowed under this policy. The carbon offset MUST benefit the immediate local people so people living in hugely affected areas benefit from the reduction in carbon.	Carbon offsetting	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
				Section: Policy NZC1: Achieving Net Zero Carbon Development			

	72130	Individual	Mixed	'Offsetting should be delivered within or as close as possible to the development' - this is absolutely vital. But this policy should go further and say 'no further than 1 mile from the development' so that developers cannot plant trees in far away districts which are of no benefit to the local people whose green fields, trees and hedgerows are being built on. In Bishop's Tachbrook AC Lloyd offset biodiversity losses by securing land in Alcester, in a different district. This cannot be allowed to happen under this policy.	<b>Carbon offsetting</b>	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
	72131	Individual	Object	Section: Policy NZC2(B) Zero or Low Carbon Energy Sources 'unless the costs or configuration of the development can be demonstrated to make this unviable or impractical.' This should be removed so developers are not allowed a 'get out of jail free' card regarding fossil fuels. Non fossil fuel sources need to be used as widely as possible to make their use viable and practical, otherwise they will remain niche and expensive. Developers must be directed to use them from now onwards.	<b>Policy flexibility</b>	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme and that on policy flexibility.	
	72132	Individual	Support	Section: Policy NZC2(D): Carbon Offsetting 'The delivery of any such scheme must be local and guaranteed.' But also local must be defined as 'no more than 1 mile' from the development so developers do not claim to be unable to offset it any more locally than the next district (see Bishop's Tachbrook Warwick District AC Lloyd biodiversity offsetting in Stratford District)	<b>Carbon offsetting</b>	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
	72133	Individual	Support	Section: Policy NZC2(D): Carbon Offsetting 'As such the Council considers offsetting to be an option of final resort. ' This must be absolutely adhered to with a target of 0% of developments using offsetting per year and a public KPI linked to this measure. The council should freely and willingly publish details of decisions where offsetting has been allowed, and publicly justify why the exemption has been permitted. WDC must hold developers to account on this and the public must be able to hold WDC to account on this 'final resort'.	<b>Carbon offsetting</b>	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
33	72156	Kenilworth All Together Greener	Mixed	<a href="https://warwickdc.oc2.uk/document/116">Please note: This is a brief summary of a long representation. Please read the full response online at: https://warwickdc.oc2.uk/document/116</a>			
				We question whether the Government's Standard Assessment Procedure will be updated in time and in an appropriate manner to fix its current blind spot in regard to the significant performance gap between design and construction. This is absolutely crucial. If this is not addressed, then how will developers demonstrate compliance with the WDC's in use standard?	<b>Performance gap</b>	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
				We are also very concerned at the prominence given to offsetting. Offsetting is a very poor substitute for reducing carbon emissions at source and should only be a very last resort.	<b>Energy hierarchy</b>	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
				It is widely recognised that planting trees only removes atmospheric carbon in significant quantities in the longer term. It cannot be used to achieve nearer term targets such as WDC's and as the global climate crisis requires. Renewable energy generation both on and off site are vastly preferable. We also question the proposed use of the carbon price in the EU Emissions Trading Scheme as a suitable metric. This has a track record of being too low to provide the desired leverage.	<b>Carbon offsetting</b>	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
34				Finally, we want to see the document use clear, unequivocal, legally enforceable language (e.g. 'require', 'must', etc. rather than 'expect', 'should',). We want it to succeed.	<b>Policy flexibility</b>	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
				<a href="https://warwickdc.oc2.uk/document/116">Please note: This is a brief summary of a long representation. Please read the full response online at: https://warwickdc.oc2.uk/document/116</a>			

	72157	Individual	Mixed	1. Although these proposals are an attempt to address the government target of meeting net zero carbon nationally by 2050 as a declared reaction to the Climate Change Emergency now recognised, the proposals do not include any practical methods that will achieve that objective.		Thank you for your response to the consultation This DPD aims to take the action that is available within planning powers, that is: what kind of new buildings are permitted to be built, and what energy performance they are expected to achieve.	
				2. Zero Carbon is a most difficult calculation and depends on accounting for all actions necessary to achieve the obvious actions. CO <sub>2</sub> sequestration applies to the whole of the global atmosphere. As temperatures are rising and forests burn, seas warm and the Carbon cycle changes, this leads to more atmospheric CO <sub>2</sub> than is absorbed naturally.	Embodied Carbon	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
				3. In short the draft plan is too little too late.		Comments noted.	
35	72134	Individual	Support	Section: 2 National Context The national context has good aspirations but the timetable is too slow. The DPD will enable us to take action sooner to achieve these aims which in the longer term is the cost effective way to work. This is particularly important given the level of house building within the District at present and over the next few years.		Thank you for your response to the consultation	
	72135	Individual	Mixed	Section: 3 The Planning Policy Context WDC needs to be clear about where it wants to go planning wise with carbon neutrality. The Government Planning Policy is currently extremely uncertain, and appears subject to change at a moment's notice.		Thank you for your response to the consultation	
	72136	Individual	Unclear	Section: 4 Aims and Objectives A clear aim in a clear timescale.		Thank you for your response to the consultation	
	72137	Individual	Unclear	Section: 5 Overarching strategy If development does not comply with the whole plan, the whole plan will unravel.		Thank you for your response to the consultation	
	72139	Individual	Support	Section: 6 Reducing Energy Demands: Energy Efficient Buildings Not only does this benefit the climate bit it benefits householders particularly those on low incomes otherwise facing fuel poverty.		Thank you for your response to the consultation	
	72142	Individual	Support	Section: 7 Energy sources A vital part of the DPD.		Thank you for your response to the consultation	
	72144	Individual	Support	Section: 8 Carbon Offsetting Essential alternative where carbon neutral schemes are not viable, but hopefully not used too often.		Thank you for your response to the consultation	
	72146	Individual	Support	Section: 9 Viability A sensible proposal in an area rich in heritage assets, but it is to be hoped applied infrequently.		Thank you for your response to the consultation	
	72138	Individual	Support	Section: Policy NZC1: Achieving Net Zero Carbon Development This is both vital and sensible.		Thank you for your response to the consultation	
	72140	Individual	Support	Section: Policy NZC2(A) Making Again a sensible and vital proposal, particularly that the building performance on completion has been tested. Otherwise it won't be effective.		Thank you for your response to the consultation	
	72141	Individual	Support	Section: Policy NZC2(B) Zero or Low Carbon Energy Sources A sensible approach which does allow alternatives in genuinely unviable cases.		Thank you for your response to the consultation	
	72143	Individual	Support	Section: Policy NZC2(C) Zero-Carbon-Ready Technology Forward planning is the essence of good management.		Thank you for your response to the consultation	
	72145	Individual	Support	Section: Policy NZC2(D): Carbon Offsetting Necessary alas, but I am glad to see that monitoring of the funds and progress made by adopting this policy will be included in the Authority Monitoring Report.		Thank you for your response to the consultation	
	72147	Individual	Support	Section: Policy NZC2(E) Viability Necessary but it is to be hoped that it will not be used too frequently. Far better a case by cases approach than any attempt to outline possibilities.		Thank you for your response to the consultation	

72158	RPS Group on behalf of Taylor Wimpey	Object	Please note: This is a brief summary of a long representation. Please read the full response online at: <a href="https://warwickdc.oc2.uk/document/116">https://warwickdc.oc2.uk/document/116</a>			
			Taylor Wimpey is supportive of the general principle of improving energy efficiency, however they have concerns about the proposed policies as drafted in the DPD.		Thanks and noted. Further signposting is provided to the Consultation Report in relation to the comments made below.	
			1.Policy NZC2(A) is currently not justified as appropriate evidence to support an accelerated timescale for the implementation of enhanced energy efficiency measures has not been provided.	Local circumstances	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
			Policy Numbers are not consistent with BNP Paribas report.	Viability of development	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	As part of the response to the Regulation 18 consultation the BNP Paribas report is being updated.
			2.The proposed net zero carbon in operation requirement is not viable for over two thirds of the tested residential development combinations in conjunction with the current affordable housing requirement and CIL. RPS therefore recommend that consideration is given to either seeking a lower improvement in terms of energy efficiency, a lower affordable housing requirement, or a lower Community Infrastructure Levy (CIL) rate.	Viability of development	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
			3.The Council should provide evidence to indicate the proportion of its Housing Land Supply within each value area assumed for each typology so that the impact of the proposed policies on housing land supply can be assessed.	Viability of development	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
			4.RPS recommend that the CIL rates are reviewed in parallel with the preparation of the DPD and set at a level that ensures that development is viable while meeting the proposed policy requirements.	Viability of development	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
			5.RPS also note that the lower CIL rates for schemes that exceed 300 dwellings suggest such schemes are less viable than smaller developments. This is a reasonable assumption, on the basis that larger sites are more likely to be required to make a wider range of infrastructure contributions to facilitate development. Accordingly, RPS recommend that larger schemes should be considered as additional typologies through an update to the Viability Study.	Viability of development	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
			6.RPS recommend that a commitment to review the DPD should the Government fail to introduce the Future Homes Standard in 2025 as currently envisaged or make any other changes to relevant policies, legislation, and regulations should be incorporated into the DPD.	Policy flexibility	Thank you for your response to the consultation. The review of the plan will be undertaken in line with national guidance including NPPF paragraph 30 which states that Policies in local plans and spatial development strategies should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary	
			7. RPS recommend that this paragraph 7.1 be revised to make clear that the technologies listed are current examples that may be suitable to be considered, but that the list provided is not prescriptive and that alternatives may be more suitable.	Policy flexibility	Thank you for your response to the consultation. Paragraph 7.1 is not prescriptive but states that the energy statement should consider all available zero or low carbon energy sources	
			8. RPS suggest that wording is added to policy NZC2(B) encourage the scope of the energy statement to be agreed with the Council prior to submission.	Policy flexibility	Thank you for your response to the consultation. The scope of an energy statement may be discussed with the Council through the Pre-application advice service.	The Council's planning application validation checklist should be updated to include the requirement for an energy statement and guidance produce on the scope of an energy statement.
			9. RPS contend that the cost of carbon offsetting needs to be considered and the impacts of this cost considered through the Viability Study.	Carbon offsetting	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
			10. The Council need to demonstrate that the proposed policies in the DPD are viable, which has not yet been done.	Viability of development	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
			11. The option of doing nothing is a reasonable alternative that should be tested through the SA. RPS also consider following the national approach to improved energy efficiency requirements is a reasonable alternative which should be tested by the SA.	Sustainability Appraisal	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	

37	72159	Home Builders Federation	Object	Please note: This is a brief summary of a long representation. Please read the full response online at: <a href="https://warwickdc.oc2.uk/document/116">https://warwickdc.oc2.uk/document/116</a>			
				The Council has not provided any evidence specifying the local circumstances in Warwick to justify <b>Draft Policies NZC1 – NZC2(A-D)</b> , which require standards above and ahead of 2025 implementation for Future Homes Standard. As set out in the 2021 NPPF, all policies should be underpinned by relevant and up to date evidence which should be adequate, proportionate and focus focussed tightly on supporting and justifying the policies concerned (para 31). It is the HBF's opinion that the Council should comply with the Government's intention of achieving net zero carbon development through the Building Regulations, the Council's proposed policy approach is unnecessary because of the higher levels of energy efficiency standards for new homes proposed in the 2021 Part L uplift and the Future Homes Standard 2025.	Local circumstances	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
				The Council has not provided any evidence specifying the local circumstances in Warwick to justify Draft Policies NZC1 – NZC2(A-D), which require standards above and ahead of 2025 implementation for Future Homes Standard	Local circumstances	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
				The Council's Viability Study should accurately account for all costs for affordable housing provision, CIL, S106 contributions and sought policy requirements	Viability of development	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme and in respect of viability.	
				There are situations where Draft Policies NZC1 – NZC2 (A-D) will tip the balance from 'viable' to 'unviable'. A flexible policy approach will be necessary including a relaxation of the Net Zero Carbon policy requirements.	Viability of development	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
				Landowners and developers will have to submit site-specific assessments to challenge assumptions in the Council's Viability Study. Such negotiations at planning application stage causes uncertainty for both the Council and developers, which may result in significant delay to housing delivery or even non-delivery.	Viability of development	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
38	72148	Barwood Land	Object	Section: 1. The Local Context While Barwood Land support the Council's objectives to tackling climate change this has to be done in accordance with the requirements of the Local Plan process. Additionally, we believe the viability assessment includes an error regarding the proposed and modelled BLV, with the results demonstrating that the policies are not viable at this stage. This suggests that the Council are proposing to introduce local standards that fail to meet the viability tests of the NPPF. In this context we believe the DPD is premature and should be reconsidered in terms of its viability in conjunction with the Local Plan Review.	Viability of development	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme and in respect of viability.	
	72149	Barwood Land	Object	Section: Policy NZC1: Achieving Net Zero Carbon Development While Policy NZC1 states development should be net zero, it does not clearly present the definition of net zero, nor what is meant by being, a net zero carbon at the point of determination of planning permission as referenced in Policy NZC2(D). These supporting policy requirements do not clearly set out how development is to reduce emissions before offsetting. Given the issues of viability in Section 1 we believe that this Policy is amended to align with the requirements and timings of the Future Homes Standard and national guidance which is aiming to deliver Net Zero Ready housing over time.	Energy hierarchy	Thank you for your response to the consultation. It is explained in NZC2(A - D) that net zero carbon emissions is defined in relation to Part L of the building regulations and the accompanying SAP calculation, through which a 75% reduction in the building's energy use (again defined by SAP) should be achieved and renewable energy supply added as far as possible before the remaining emissions over 30 years should be offset with payments towards other local projects that will prevent or remove an equivalent amount of carbon. However, it would be positive to have this clearly laid out up front in Policy NZC1 that this is net zero operational carbon.	Define 'net zero ' in Policy NZC1 and Section 1 of DPD.
	72150	Barwood Land		Section: Policy NZC2(C) Zero-Carbon-Ready Technology			
				States where renewable or low carbon options (in line with Policy NZC2(B) cannot meet the full energy demand, or are unviable the developments are required to incorporate net zero carbon-ready technology to allow future decarbonisation of energy.			



72152	Barwood Land		We support the provision of systems in homes which allow for development to be zero carbon ready and incorporate the benefits of decarbonising energy systems, this is a key requirement of the FHS and can therefore be achieved through compliance with national policy and should be reflected in the Policy.		Thank you for your response to the consultation.		
	72153	Barwood Land	Support	Section: Policy NZC2(D): Carbon Offsetting We agree with the principle of carbon offsetting as a last resort for residual emissions and where they are guaranteed to deliver carbon savings, however we believe there should be greater flexibility in how the offsetting can be provided, with consideration given to other guidance on carbon offsetting and how it can be delivered. Additionally we believe any Council fund should be audited on an annual basis by an independent third party to ensure that it is achieving the carbon savings promised and if not, then funds should be returned to the developer to allow the procurement of verified offsets.	Carbon offsetting	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
	72154	Barwood Land	Object	Section: Policy NZC2(E) Viability The viability assessment clearly shows that policies of the DPD will have a negative impact on land values for residential development. It shows that without a reduction in costs in other areas, i.e. the reduction in affordable housing provision in the majority of cases the policies are not viable for residential development.	Viability of development	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
				This suggests that the Council are proposing to introduce policies that fail to meet the viability tests of the NPPF, and it is inappropriate to rely on Policy NZC2(E) as an alternative to ensuring new policies are not widely unviable, and to a development meeting the required standards.	Viability of development	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
	72150	Barwood Land	Object	Section: Policy NZC2(A) Making The Council notes that the Government continues to allow Local Authorities to set standards beyond the requirements of the Building Regulations, however, the FHS consultation response notes the Planning for the Future white is aiming for national standards. A significant reason for the proposed timeline to the full FHS is related to the need to upskill and develop the supply chain to deliver the FHS. In this context we believe that the Council should retain the Government’s proposed timeline for the FHS, or include a transition period to ensure the DPD is not ahead of the requirements of national policy.	Supply chain deliverability	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
	72151	Barwood Land	Object	Section: Policy NZC2(B) Zero or Low Carbon Energy Sources It is noted NZC2(B) will apply to both new full applications and reserved matters applications. As noted in the responses to Section 1, and Policy NZC2A, bringing this requirement forward is not currently viable, nor is the supply chain adequately developed to deliver these requirements effectively. In the case of an existing outline planning permission it is not possible to retrospectively apply new policies to an existing permission without renegotiation or consideration of the viability impacts. We would suggest the removal of the requirement to apply to reserved matters applications for current permissions.	Viability of development	Thank you for your response to the consultation. The type of developments this DPD relates to is being reviewed as part of the response to the Regulation 18 consultation and alongside viability considerations. The applicability of the policies to different types of development will be clarified further. It is acknowledged that if an outline planning permission is granted before application of the policies that the new net zero policies cannot be retrospectively applied through the reserved matters stage. If an outline planning application is subject to the net zero carbon DPD policies then the reserved matters will also need to comply.	Clarify within Policy NZC1 the applicability of the policies to reserved matters application.
39			<a href="https://warwickdc.oc2.uk/document/116">Please note: This is a brief summary of a long representation. Please read the full response online at: https://warwickdc.oc2.uk/document/116</a>				
			<b>Policy NZC1: Achieving Net Zero Carbon Development</b> Part 1 of Policy NZC1 is quite vague on “taking account of up-to-date technology”. Gladman would suggest that part 1 of the policy is reworded to be more specific and should refer to the “latest technology”. Gladman also suggest that the explanatory / supporting text should be reflected within the draft polices themselves for consistency within the DPD.	Energy hierarchy	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme	Policy wording to be reviewed to make sequential approach to the energy hierarchy explicit within Policy NZC1	

72160	Gladman Developments Limited	Object	<b>Policy NZC2(A): Making buildings energy efficient</b> Gladman acknowledge WDC's ambition to require operation of 75% over and above the 2013 Building Regulations standards. This is to align with the introduction of the Future Homes Standard which is currently due to be implemented in 2025. Gladman contend that this policy should be re-worded to state: <i>"energy efficiency should be made in accordance with the latest building regulations until such time the Future Homes Standard is implemented"</i> . As currently drafted, there is no flexibility in place for when the 2013 Building Regulations standards are updated and therefore the policy could potentially refer to Building Regulations which could shortly become out-of-date.	Energy hierarchy	The aim of the policy is to implement standards similar to those of the Future Homes Standard (FHS) but in advance of the national introduction of the FHS itself so to reflect the declared climate emergency and reduce carbon emisisions as quickly as possibly. The government has laid out that the carbon reduction to be achieved via the FHS will be equivalent to a 75% reduction compared to Part L 2013. Due to the imminent update to Building Regulations in 2022 (Part L 2021) and likely before the adoption of the DPD, the policies have been updated to refer to carbon emission reductions compared to the 2021 Building Regulations. The reduction sought remains equivalent to that sought in the Future Homes Standard.	The policies have been updated to require carbon emission reductions to the 2021 Building Regulations due to come in to effect in 2022.
			<b>Policy NZC2(B): Zero or Low Carbon Energy Sources</b> Draft Policy NZC2(B) requires more clarification to identify whether an Energy Statement will be required for all types of application proposals (full, outline or hybrid planning applications). The requirement for an Energy Statement would need to be included on WDC's planning application validation checklist dependent on which type of applications it was applicable to.	Policy flexibility	Thank you for your response to the consultation. The type of developments this DPD relates to is being reviewed as part of the response to the Regulation 18 consultation and alongside viability considerations. The applicability of the policies to different types of development will be clarified further within Policy NZC1	Clarify within Policy NZC1 the applicability of the policies to different types of planning applications and including Energy Statement requirement on application validation checklist .
			There is no indication in either the draft policy or within the supporting text of what size development the submission of an Energy Statement will be mandatory for i.e. for new housing development – planning applications for 1+ residential dwellings or for new commercial / industrial development what the square metres threshold would be.	Policy flexibility	Thank you for your response to the consultation. The types of development t which the policies apply is set out within paragraph 5.4 of the consultation draft as supporting text to Policy NZC1. The type of developments this DPD relates to is being reviewed as part of the response to the Regulation 18 consultation and alongside viability considerations. The applicability of the policies to different types of development will be clarified further within Policy NZC1	Clarify within Policy NZC1 the applicability of the policies to different types of planning applications
			Gladman are supportive of Energy Statement's being included on an updated planning application validation checklist as this will provide WDC with a clear indication of what methods the applicant is looking to install to meet the net zero requirement on their site.	Policy flexibility	Thank you for your comments. We acknowledge that any additional requirements from planning policy would need to be reflected in the validations list.	Include Energy Statement requirement on application validation checklist .
			<b>Policy NZC2(C): Zero-Carbon-Ready Technology</b> Gladman are unsure how paragraph 7.5 of the supporting text would work in practice. If a developer builds a house and it falls short of net zero carbon specification upon occupation, does this mean that the developer would therefore have to revisit the property and rectify the issue? It would be difficult to expect this to be scrutinised as severely as the supporting text sets out. Gladman stress that it would be more sensible to ensure that any new development is to be zero-carbon ready prior to occupation rather than post occupation.	Performance gap	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
			<b>Policy NZC2(D): Carbon Offsetting</b> Gladman maintain that Policy NZC2(D) should refer to planning applications for detailed planning permission only. As currently drafted, all submitted outline planning applications (with all matters reserved except for access) would be subject to either:	Carbon offsetting	Thank you for your response to the consultation. The type of developments this DPD relates to is being reviewed as part of the response to the Regulation 18 consultation and alongside viability considerations. The applicability of the policies to different types of development will be clarified further within Policy NZC1. As the viability of development including planning obligations are established at the outline stage is appropriate that this may include provision for carbon offsetting.	
			a) a cash in lieu contribution to WDC's carbon offsetting fund; or	Carbon offsetting	as above	
			b) a contribution to a verified local off-site offsetting scheme as each proposal would be unable to demonstrate whether it would net be zero carbon ready at the point of the application's determination.	Carbon offsetting	as above	

				<p>The requirement of providing the anticipated annual operations carbon emissions from a commercial / industrial type development in the 30 years following the completion of the development would be a significantly difficult task for an applicant to accurately predict. This may result in a lot more viability assessments being submitted by applicants in support of applications if their anticipated cash in lieu contributions are proportionately high.</p>	Carbon offsetting	<p>Thank you for your response to the consultation. The type of developments this DPD relates to is being reviewed as part of the response to the Regulation 18 consultation and alongside viability considerations. The applicability of the policies to different types of development will be clarified further within Policy NZC1. The applicability of the policies to commercial/industrial development is being consider. Within this. The requirement is to calculate the development's energy use and carbon emissions using the latest available version of the normal method (in this case SBEM for non-residential buildings). The '30 years' requirement is simply to name the number of years of carbon emissions that must be offset, should the building not manage to be 'zero' carbon from day 1. Therefore the developer would calculate the annual emissions and multiply it by 30.</p>	<p>Consider a threshold above which the policies apply to new non-residential development within policy NZC1 alongside viability and resource considerations and clarify the methodology to be used for non-residential building energy performance calculations.</p>
				<p><b>Policy NZC2(E): Viability</b></p> <p>Gladman note that Policy DM2 of the adopted Warwick Local Plan 2011-2029 will be superseded by a new policy included within the emerging South Warwickshire Local Plan once it is adopted by the councils. Therefore, there would be no flexibility within the DPD to update this reference.</p>	Viability of development	<p>Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.</p>	
40				<p><u>Please note: This is a brief summary of a long representation. Please read the full response online at: <a href="https://warwickdc.oc2.uk/document/116">https://warwickdc.oc2.uk/document/116</a></u></p>			
				<p><b>Policy NZC1 Achieving Net Zero Carbon Development</b></p> <p>Draft Policy NZC1 requires new development to incorporate and utilise zero or low carbon energy sources.</p>			
				<p>Supporting paragraph 5.2 helpfully explains that the focus is on “...providing a practical and viable approach to deliver new development which is net zero carbon in operation.”</p>			
				<p>We consider the policy requires a slight adjustment to ensure that it is practical/viable and consistent with the overarching aims/objectives of the DPD.</p>	Sustainability Appraisal	<p>Thank you. We have considered this topic under 'Sustainability Appraisal following comments made from Historic England on this topic. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.</p>	
				<p>Recommendations for changes: New development should achieve net zero carbon emissions. To do achieve [sic] this, developments will be expected to demonstrate that three critical elements have been considered holistically:</p> <p>1 Reduce energy demand by bringing forward and implementing proposals that minimise demand for energy in operation taking account of up to date technology that enables occupants to live in ways that minimise energy demands and energy efficient layout and design</p> <p>2 [Maximise opportunities] to utilise zero or low carbon energy sources, taking account of the availability and/or potential for large scale, low carbon energy sources and by incorporating passive and renewable energy sources within the development. Where fossil fuel based energy sources must be utilised, the technology incorporated within developments should ensure proposals are “zero carbon ready”</p> <p>3 Offset any residual carbon to bring the total operational carbon emissions to net zero. Offsetting should be delivered within or as close as possible to the development. [Offsetting will be in accordance with Policy NZC2(E)]”.</p>	Energy hierarchy	<p>Thank you for your comments on the phrasing and wording of the DPD. We are reviewing such comments in line other consultation responses and suggested amendments to the DPD following the Regulation 18 consultation. Please refer to Section 4 of the Consultation Response for a response to this identified theme.</p>	
				<p><b>Policy NZC2(A) Making buildings energy efficient</b></p> <p>Draft Policy NZC2(A) requires that developments should demonstrate improved energy efficiency in design and operation of 75% over and above 2013 building regulations standards. The 75% requirement will need to be evidenced for it to be effective.</p>	Energy hierarchy	<p>Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.</p>	
	72161	Warwick Castle	Support				



				<p>4 Maintain 75% as a “target” and include a lower minimum “requirement” (for example, other recently adopted Local plans reference 35%). The prescribed minimum could then increase over time to achieve Net Zero and reflect the costs of more efficient construction methods. This could be reflected in future updates to the DPD; and</p> <p>5 Acknowledge that an exception to the 75% would be made in the case where development is appropriate and necessary but where it is demonstrated that meeting the standard would not be feasible or viable.</p> <p>This approach would be consistent with Draft Policy NZC2(E). To enable a practical/viable response to historic planning permissions, we think there would be merit in making a slight adjustment to the following paragraph : “Certification to a nationally recognised standard to demonstrate the predicted energy performance across the entire development should be provided as part of any reserved matters application, full application, and [where relevant] Section 73 application or Section 96a (non material amendment) application, to evidence the passive and energy efficient design for building performance” [additions in []</p>	<b>Policy flexibility</b>	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme. The applicability of the policies to different types of development and planning application will be clarified further within Policy NZC1	Clarify within Policy NZC1 the applicability of the policies to different types of planning applications and including Energy Statement requirement on application validation checklist .
				<p><b>Policy NZC2(D) Carbon Offsetting</b></p> <p>The Council will need to provide evidence to support the calculation for a cash in lieu contribution to a carbon offsetting fund to ensure it is fair and reasonable to the type and scale of development proposed. Without it, there is a risk that the Policy will not be found sound.</p>	<b>Carbon offsetting</b>	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
41	72162	Individual	Mixed	<p>We welcome your DPD and it has much to be commended, we do however wish to comment on some aspects that we think are embodied in our comments below:</p> <ul style="list-style-type: none"> <li>· SAP does not demonstrate energy efficiency in operation</li> <li>· The Future Homes Standard does not set out performance metrics for performance in use</li> <li>· Nationally recognised standards for performance in use are mainly associated with the Passivhaus system, NEF’s Assured Performance Process.</li> <li>· The most up to date SAP does not deal with the ‘performance gap’.</li> <li>· The term Net Zero Carbon should be defined as either “in use” or “whole life net zero” to include in use and the whole carbon in materials cycle</li> </ul>	<p><b>Performance gap</b></p> <p><b>Performance gap</b></p> <p><b>Performance gap</b></p> <p><b>Performance gap</b></p> <p><b>Embodied Carbon</b></p>	<p>Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.</p> <p>Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.</p> <p>Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.</p> <p>Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.</p> <p>Thank you for your comments. It is explained in NZC2(A - D) that net zero carbon emissions is defined in relation to Part L of the building regulations and the accompanying SAP calculation, through which a 75% reduction in the building's energy use (again defined by SAP) should be achieved and renewable energy supply added as far as possible before the remaining emissions over 30 years should be offset with payments towards other local projects that will prevent or remove an equivalent amount of carbon. However, it would be positive to have this clearly laid out up front in Policy NZC1 that this is net zero operational carbon.</p>	<p>Define 'net zero ' in Policy NZC1 and Section 1 of DPD.</p>
42	72163	Individual	Support	<p>I welcome the DPD in their plans for all new developments to be net carbon zero in operation.</p> <p>I feel that some of the wording needs to ensure that this is less a suggestion and more an expectation.</p> <p>I also noted there is little mention of biodiversity in new developments and I'm wondering if this can be included as a consideration e.g. hedgehog highways.</p>	<p><b>Policy flexibility</b></p> <p><b>Biodiversity measures</b></p>	<p>Thank you and noted.</p> <p>Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.</p> <p>Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.</p>	
43				<p>Please note: This is a brief summary of a long representation including detailed rewording of Section 8</p> <p><a href="https://warwickdc.oc2.uk/readdoc/116/searchrepresentations/211">https://warwickdc.oc2.uk/readdoc/116/searchrepresentations/211</a></p>			

72164	Warwickshire County Council: Ecology, Historic Environment & Landscape	Support	WCC EHCL welcomes this document as a significant step towards the Environmental Net Gain objectives of the NPPF. EHCL comments are primarily addressed to Chapter 8 Carbon Offsetting,	Carbon offsetting	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
			The Council may also wish to define 'local'. This was queried regarding offsetting biodiversity at a public inquiry and a precedent was set to accept Warwickshire as 'local' due to the existence of the Warwickshire, Coventry & Solihull Green Infrastructure Strategy and its use as an evidence-based document in policy formation. Ecosystem Services are part of this strategy; however, it may need to be revised to cover this net zero approach, especially if other Local Planning Authorities adopt a similar approach. CSWAPC 'owns' this document, albeit prepared by the County so may wish to have it refreshed, subject to resources.	Carbon offsetting	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
			a general comment would be a reference to ensure that planning applications that include net carbon zero solutions must be sympathetic and sensitive to the Historic Environment and its setting and the landscape into which the application resides.	Policy flexibility	The you for your comments,. The Net Zero Carbon DPD policies will be in addition to existing Local plan policies. General design, heritage and landscape considerations will continue to be subject to existing adopted local plan policies. The applicability of the policies to existing buildings (including heritage assets) is subject to review and a separate policy or guidance is to be considered.	Consider a separate policy or guidance on the approach to achieving the Net Zero policies in existing buildings including the Historic Environment and alongside the Viability evidence updates
			With contributions being secured through Section 106 agreements once it has been demonstrated that every reasonable solution has been explored to reach a net zero carbon development, i.e. a final resort. The County welcomes this mitigation hierarchy approach.	Energy hierarchy	Thank you. Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
			WCC EHCL welcomes the ability to offset carbon through nature-based solutions. However, in this instance it is not the intention for WCC EHCL to administer ('quantify and verify') schemes. The reason being that there are already schemes in place around carbon, such as the Forestry Commission Woodland Carbon Code.	Carbon offsetting	Thank you - Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	
			8.1 Recommendation: remove or reference the sentence "It has been estimated that it would take the planting of 160 trees to offset a 4 tonne carbon footprint" as it does not add to the understanding of this paragraph and sets a target that may not be consistent with the Woodland Carbon Code or other verified carbon calculators. Additionally, other carbon sequestration models may enter the market as suitable offsetting mechanism. e.g. unimproved meadow creation or hedgerow carbon capture.	Carbon offsetting	Thank you - Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	Review paragraph 8.1 alongside Carbon Offsetting policy review
			8.2 This paragraph sets out how carbon will be measured and if there is a need to compensate a carbon impact. However, it then moves directly to how a contribution will be calculated. It is suggested that the two options to compensate needs to be referred to before the last sentence	Carbon offsetting	Thank you - Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	Review paragraph 8.2 alongside Carbon Offsetting policy review
			8.2.2 This paragraph is establishing a tariff. It is assumed that this tariff will set the cost per tonne (or equivalent) for option 1) the payment to the District Council. The question here is will this be enough to pay for District schemes that deliver enough carbon reduction to compensate for the residual carbon from the development t. Recommendation: That 8.2.2 fixes the 'capped' amount of any contribution at the average carbon market price shall be determined from the Carbon Emissions Allowance from the European Union Emissions Trading Scheme (unless replaced by UK adopted equivalent which will then apply	Carbon offsetting	Thank you - Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	Review paragraph 8.2.2 alongside Carbon Offsetting policy review
			8.3 This paragraph explains how new development is expected to be zero-carbon and mechanisms of evaluating this. It could be suggested that this continues the philosophies and accounting mechanisms in paragraphs 8.1 and 8.2 and it could be that paragraph 8.3 could be is incorporated into paragraphs 8.1 and 8.2. This may help the reader to navigate through the process of intention (net zero), calculation (SAP or best estimate), compensation (contributions).	Carbon offsetting	Thank you - Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.	

			<p>8.4 This paragraph lays out how contributions will be collected and what it is to be allocated to. It also described other acceptable mechanisms to offset impacts. Recommendation: That 8.4 could read: Where a financial contribution to the Council is the preferred approach to offset carbon, Offset contributions will be paid into the Council's Carbon Offset Fund and ring-fenced for off-site carbon reduction projects.</p> <p>Where a financial contribution is made to an off-site carbon reduction or carbon sequestration scheme it will be at the Council's discretion and, may support a verified local off-site offsetting scheme, provided that such a proposal is properly researched/quantified meets carbon reduction or</p> <p>carbon sequestration industry best practice standards that are comparatively measured in carbon tonnage as of the SAP or an approved model. In the event that Warwickshire County Council or Warwick District Council operate a local carbon sequestration market that gives value to the growth and enhancement of local natural assets, this will be the preferred scheme. Any other scheme will be referred to the Warwickshire County Council's Ecology team for verification All offset sequestration schemes Its delivery must be local and must be guaranteed, guaranteed and meet the</p> <p>Warwickshire ecosystem service market trading protocol or such protocols endorse by government..</p>	<b>Carbon offsetting</b>	<p>Thank you - Please refer to Section 4 of the Consultation Response Report for a full response to this identified theme.</p>	
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