

Warwick District Council

Examination of the Warwick District Council Net Zero Carbon Development Plan Document

Schedule of Matters Issues and Questions for the Examination

23 January 2023

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Introduction

Following an initial examination of the Warwick District Council Net Zero Carbon Development Plan Document (the DPD) and the supporting material, set out below are the main Matters, Issues and Questions regarding the soundness of the DPD. These should be read in conjunction with the Guidance Note for Participants in the examination document library, issued on 23 January 2023.

As highlighted within the Guidance Note, participants should be aware that the Council has published a number of documents which form its evidence base which are also located in the document library on the examination website. Those wishing to respond to these matters, issues and questions may wish to take into account these documents when doing so.

The questions identified below concerning soundness are primarily focussed on the DPD's policies. Insofar as they relate to the DPD's soundness, other elements of the DPD including the supporting text will be considered as part of the discussion of the relevant policies. Apart from the Council, there is no obligation for participants to produce hearing statements. **You should only do so if there is something to add to your original representation. Please do not repeat what is in your original representation, just provide a cross reference to it where necessary.**

The Inspector will determine the manner in which discussions take place at the hearings. As identified within the Guidance Note, all references below to the National Planning Policy Framework are to the July 2021 version. Where respondents answering the following questions identify a deficiency in the DPD they should make clear how it should be changed with regard to soundness.

Matter 1: Legal and procedural requirements

Main Issue: Have the relevant legal and procedural requirements been met in the preparation of the DPD and is the DPD legally compliant?

Questions

- 1.1 How does the DPD, as submitted, have a suitable relationship with the adopted Warwick Local Plan?
- 1.2 How is the DPD, as submitted, legally compliant?
- 1.3 Does the DPD, as submitted, have proper regard to the Sustainability Appraisal (SA) and the Habitats Regulations Assessment (HRA)?
- 1.4 Do the SA and the HRA supporting the DPD meet the requirements of the relevant Regulations?
- 1.5 Do the aims and objectives of the DPD, as submitted, accord with national policy?
- 1.6 Has the Duty to Cooperate been fulfilled properly?

Matter 2: Overarching strategy: achieving net zero carbon developments

Main Issue: Does the DPD provide a reasonable approach to Warwick's declared climate emergency and does it identify an appropriate overarching strategy towards achieving net zero carbon development within Warwick District? Is the approach set out justified, effective and in accord with national policy?

Questions

- 2.1 Are the aims and objectives of the DPD, as submitted, soundly based and do they form an appropriate response to the climate emergency declared in Warwick District?
 - 2.2 Is the general approach of the DPD through *Policy NZC1 – Achieving Net Zero Carbon Development* a reasonable one?
 - 2.3 Specifically, is the approach within the DPD to introduce local carbon reduction targets ahead of national Government-led targets (e.g. the Future Homes Standard in 2025) justified and set on a sound basis?
 - 2.4 Does Policy NZC1, and the strategy set out within it, accord with national policy?
 - 2.5 How does Policy NZC1 sit comfortably with the adopted Warwick Local Plan and its relevant policies?
 - 2.6 Is everything covered within Policy NZC1 that needs to be?
 - 2.7 Is there a justification to include a target FEE (space heat demand) of 15-20 kWh/m²/yr within Policy NZC1, or similar, and would the inclusion or omission of such a target go to the soundness of the DPD?
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- 2.8 Is sufficient clarity provided within the DPD in relation to the content and scope of energy statements and when they are required?
- 2.9 Are there any requirements that should not be in Policy NZC1 with regard to soundness?
- 2.10 Will there be any unacceptable impact on housing delivery and development generally as a result of the overarching strategy and Policy NZC1 of the DPD, as submitted?

Matter 3: Viability testing and assessment

Main Issue: Are the policy requirements of the Plan, in terms of development viability, reasonable, justified, effective and consistent with national policy?

Questions

- 3.1 Does the viability testing, assessment and evidence submitted in support of the DPD reasonably and robustly demonstrate that the majority of development types in the majority of locations are viable when meeting all of the requirements of the Plan, including the adopted Warwick Local Plan?
- 3.2 Has the viability evidence submitted accounted for a reasonable and proportionate level of flexibility in the delivery of the policy requirements of the DPD and, if so, is this justified and effective?
- 3.3 How does development viability in relation to the policy requirements of the DPD sit against the policy requirements of the adopted Warwick Local Plan, for example affordable housing requirements?
- 3.4 Is the approach to viability within the DPD policies consistent with that of the adopted Warwick Local Plan?
- 3.5 Has the viability testing and assessment undertaking to support the DPD and its policy requirements been based on reasonable and appropriate source data that is up to date and relevant?
- 3.6 Specifically, is the identified 3% uplift in build costs for homes from the current standards to the proposed build specifications, as set out in the Council's viability assessment work, based on reasonable and robust evidence?

Matter 4: Reducing energy demands: energy efficient buildings

Main Issue: Does Policy NZC2(A) provide the effective and reasonable approach to achieving energy efficient buildings that the DPD requires to ensure the best use of energy resources and to facilitate a faster transition to low carbon energy sources? Is the Policy approach justified and consistent with national policy?

Questions

- 4.1 Are the requirements within Policy NZC2(A) justified and is the approach of the policy reasonable, justified and effective?
- 4.2 How do the requirements of *Policy NZC2(A) – Making Buildings Energy Efficient* sit against the adopted Warwick Local Plan and its relevant policies?
- 4.3 Is Policy NZC2(A) consistent with the adopted Warwick Local Plan and with national policy and is it soundly based?
- 4.4 Does Policy NZC2(A) have sufficient flexibility built into its application to be effective?
- 4.5 How will Policy NZC2(A) contribute to the aims and objectives of the DPD and facilitate a faster transition to the greater use of low carbon energy sources?
- 4.6 What impact will the requirements of Policy NZC2(A) have on development delivery, including housing?

Matter 5: Energy sources

Main Issue: Does Policy NZC2(B) provide an appropriate contribution to reducing carbon emissions that the DPD seeks to achieve through the use of suitable zero or low carbon energy sources and does it provide the necessary support for the holistic approach that the DPD sets out?

Questions

- 5.1 Is the approach of *Policy NZC2(B) – Zero or Low Carbon Energy Sources and Zero Carbon Ready Technology* reasonable, justified and effective?
 - 5.2 Does Policy NZC2(B) accord with national policy and does it relate properly to the adopted Warwick Local Plan and its relevant policies?
 - 5.3 Does Policy NZC2(B) have sufficient flexibility within its application to be effective and have a sound basis?
 - 5.4 Does Policy NZC2(B) and the DPD provide sufficient clarification or guidance as to the types of technology or energy sources that would be most appropriate in certain locations and proposals? If not, should this be provided and how would this be most appropriately addressed?
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5.5 What impact will Policy NZC2(B) have on development delivery, including housing?

Matter 6: Carbon offsetting

Main Issue: Does Policy NZC2(C) provide the necessary robust and appropriate framework that the DPD requires for addressing residual carbon from new buildings and ensuring that contributions required through carbon offsetting are reasonable, justified, effective and consistent with national policy?

Questions

- 6.1 How does *Policy NZC2(C) - Carbon Offsetting* relate to the adopted Warwick Local Plan and its relevant policies?
- 6.2 Is the approach of Policy NZC2(C) reasonable, justified and effective and is it soundly based on robust evidence?
- 6.3 Does Policy NZC2(C) and its requirements accord with national policy?
- 6.4 How and when will a 'carbon offset fund', or equivalent, be in place?
- 6.5 How and when will appropriate guidance be provided on the detail, management and application of such an 'offsetting fund'?
- 6.6 What will be the relationship between the 'carbon offsetting fund' and any existing CIL Funding mechanism that is in place?
- 6.7 Does Policy NZC2(C) and its requirements have any unacceptable impacts on development delivery, including housing?

Matter 7: Embodied carbon

Main Issue: Does Policy NZC3 set out a reasonable, appropriate and proportionate approach to the consideration and assessment of embodied carbon in the proposed materials of a development? Is the approach justified, effective and consistent with national policy?

Questions

- 7.1 Is the approach of *Policy NZC3 – Embodied Carbon* justified, effective and consistent with national policy?
 - 7.2 Are the thresholds set out in Policy NZC3 for development with regard to whole-life carbon assessments appropriate and justified?
 - 7.3 Does the approach of Policy NZC3 sit comfortably with the adopted Warwick Local Plan and its policies?
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- 7.4 Are the impositions on developers through Policy NZC3 reasonable and justified?
- 7.5 Does Policy NZC3 have any unacceptable impact on development delivery, including housing?

Matter 8: Existing buildings

Main Issue: Does Policy NZC4 provide an appropriate response to the consideration of sustainable construction and design and low carbon energy sources in existing buildings that the DPD requires? Is the approach justified, effective and consistent with national policy?

Questions

- 8.1 Does the approach of Policy NZC4 and its requirements have a sound basis, that is reasonable, justified and effective?
- 8.2 Is Policy NZC4 consistent with national policy?
- 8.3 Are the impositions on developers set out through Policy NZC4 reasonable and justified?
- 8.4 Does Policy NZC4 and its requirements have an impact on the delivery of development, including housing?

Andrew McCormack

Inspector

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