

MATTER NUMER: SC2 – Climate Change, Chapter 4

REPRESENTER NAME: Taylor Family/Countryside Properties

PERSONAL REFERENCE: 19841

REPRESENTATION NUMBERS: Policy CC/1 - 60274

Policy CC/2 - 60278

Policy CC/3 - 60283, 60286, 60289

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Policy CC/5 - 60303

Policy CC/6 - 60306

AGENT: Andrew Martin-Planning

**South Cambridgeshire District
Council Local Plan Examination**
Hearing Statement. Matter SC2: Climate
Change

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Introduction

1. The Taylor Family and Countryside Properties are committed to the principles of sustainable development and ensuring that our new communities support the 'three pillars' of sustainable development by maximising the economic, social and environmental benefits to the local community.
2. Although we have raised a number of concerns regarding some of the policy detail and wording, we broadly support the Inspectors Preliminary Conclusions and the Councils subsequent Proposed Modifications, which reflect our previous representations and national policy amendments such as the Housing Standards Review, Deregulation Act 2015 and Fixing the Foundations.
3. We support the role that national and local policy/ regulation plays in driving better performance in the delivery of placemaking, new housing and non-domestic buildings.
4. The Taylor Family and Countryside Properties have a proposed allocation in the Local Plan at Bourn Airfield (Policy SS6) for a sustainable new village. We are committed to delivering a high quality new village that supports the policies within the Local Plan and provides residents with a vibrant new community and much needed affordable and private homes.

1. 2a Policy CC/1: Mitigation and Adaption to Climate Change

i. Should the policy give greater clarity as to the particular matters which the Council would be expect to be included in a Sustainability Statement (SS)?

1.1 The Taylor Family and Countryside Properties believes **that to ensure soundness** and avoid confusion, abortive work and potential delay to application validation and/ or determination, Policy CC/1: Mitigation and Adaptation to Climate Change would benefit from further information with regards to the expected content of the SS. We suggest that the policy wording could be improved by the following measures;

- Moving the information (or key bullet points) from Paragraphs 4.10 and 4.11¹ into the main policy text.
- We also consider it reasonable for the SS to be structured in (where relevant) in accordance with the 13 different policy themes of the National Planning Policy Framework (The Framework) given that this is the Governments and the Planning Systems view of Sustainable Development.

ii. Should the quantity of information required in a SS be proportionate to the nature and scale of the particular proposed development? If so, should the policy indicate appropriate thresholds?

We consider it reasonable that the SS be proportionate to the nature and scale of the proposed development. **We suggest that Policy CC/1 be amended** to state that only developments over 10 units should be required to produce a SS.

iii. Would the SS specifically exclude matters which would be controlled under the Building Regulations?

1.2 We support the Government's approach to rationalising local standards under the Building Regulations and support the Councils proposed modifications to ensure that The Plan reflects this national approach. Nonetheless we consider it reasonable for the applicant to succinctly demonstrate the measures used to address the issues listed and those addressed by The Building Regulations whilst also considering the outcome of the Housing Standards Review, the proposed Policy Modification PM/SC/4/A and Paragraph 95 of The Framework.

¹ South Cambridgeshire District Council. Submission Local Plan. Chapter 4 Climate Change: Paragraphs 4.10 -4.11.

2. 2B Policy CC/2: Renewable and Low Carbon Energy Generation

i. Is the Policy, as proposed to be modified, consistent with the Written Ministerial Statement dated 18 June 2015?

2.1 The Taylor Family and Countryside Properties are not currently proposing to develop large scale wind turbines however a review of the Written Ministerial Statement would appear to suggest some inconsistencies in that;

- The Council should support Policy CC/2 with an evidence base to demonstrate the most appropriate locations for wind energy.
- Criterion 1d should make reference to the need to secure community backing following consultation.

ii. In light of the Written Ministerial Statement, is the Council intending to identify any areas in the Plan where wind energy generation would be suitable in principle?

2.2 See our comments above.

iii. Should criterion 1(b) also refer to off-site (allowable) solutions e.g. direct connection to associated development or a community energy generation project? In this regard is the policy too restrictive in not enabling applicants to take the initiative in respect of the delivery of allowable solutions?

2.3 Notwithstanding the fact that the Government will not be pursuing the national allowable solutions policy, we consider that a reference to the deployment of renewable and low carbon energy generating infrastructure 'off site' or the use of a local allowable solution such as the Cambridgeshire Community Energy Fund would be a positive amendment to this policy as it would allow flexibility for the applicant.

iv. Having regard to Question B(i) above, is the prescribing of a minimum distance in paragraph 2 justifiable? Should each case be treated on its own merits and the appropriate minimum separation distance be determined through the planning application process?

2.4 No comment

3. 2C Policy CC/3: Renewable and Low Carbon Energy in New Developments

i. Does the policy accord with the provisions of the Deregulation Act 2015 which requires that local planning authorities should not set any additional local technical standards or requirements relating to the construction or performance of new dwellings?

- 3.1 The Taylor Family consider certain elements of Policy CC/3 **unsound** in its current form.
- 3.2 It is our understanding that when the Deregulation Act is implemented this will allow Local Authorities the ability to request renewable energy targets and policies in relation to Decentralised Energy Systems but not set energy efficiency standards above Building Regulations. We consider it appropriate to stress however that such policies must still meet the requirements of Paragraph 173 and 174 of The Framework in that the policies must be supported by a suitable evidence base that provides technical and financial viability.
- 3.3 Countryside Properties do have concerns however with regards to criterion 3 of Policy CC/3² in that there appears to be an expectation within the policy that growth areas and new settlements such as Bourn Airfield will provide such systems and that their contribution will be maximised clearly suggesting that the 10% target will be exceeded.
- 3.4 We reiterate our previous representations to the 2014 Local Plan Examination which state that district heating systems are only commercially and technically viable for large mixed use developments with a high constant heat demand such as that resulting from offices, leisure centres and swimming pools or in high density housing in a town centre location.
- 3.5 Any new development or settlement that consists of predominantly residential dwellings such as Bourn Airfield is highly unlikely to have sufficient heat demand to justify a heat network, particularly given that new dwellings will, as a minimum, be required to meet the current 2013 Building regulations which sets high standards of fabric efficiency which reduces the typical space heating demand to only the colder months. In addition, future climate projections indicate higher local ambient temperatures in Cambridgeshire thereby further reducing the future viability of such systems. Countryside Properties are very mindful of the need to ‘future proof’ our developments to a changing climate.
- 3.6 Countryside Properties are also aware of a growing body of evidence that demonstrates that the deployment of site wide district energy systems do not offer the most cost effective solutions to providing heat and/ or power and reducing carbon emissions³. A report by the Town and Country Planning Association recognises that “The upfront capital costs of some low or zero carbon energy systems can be higher than for traditional energy. If this cost is passed onto customers (through bills or service charges), the energy may prove unaffordable”. It goes on to note “The Energy Saving

² South Cambridgeshire District Council. Submission Local Plan. Chapter 4 Climate Change: Page 87.

³ http://www.tcpa.org.uk/data/files/comm_energy_plandevel.pdf

Trust suggests that at least 55 new dwellings per hectare are necessary for financial viability”.

3.7 Indeed, the Councils own evidence base document⁴ highlights this issue for residential led development;

- *District Heating and CHP networks favour applications where there is a consistent requirement for heat (base load). The space heating demand in domestic dwellings is generally intermittent and seasonal.*

3.8 Countryside Properties are both a developer and Housebuilder and have considerable experience of the solutions to develop energy efficient housing and it is our firm belief that a fabric first approach supplemented by renewable energy technologies where necessary is the most cost effective solution for the housebuilder and consumer to deliver the targets set out in this plan.

3.9 In addition, Countryside Properties have reviewed the evidence base study⁵ supporting the Local Plan and we are unable to identify the specific report that assesses the viability of CHP/ DH within large villages or residential developments within South Cambridgeshire to support Policy CCS Criteria 3.

3.10 In summary therefore we consider that criteria 3 **unsound** and request that it be amended as follows;

“For growth areas and new settlements, site wide renewable and low carbon energy solutions such as renewable and low carbon district heating systems will be assessed for technical and commercial viability and, where viable, could be considered to meet the carbon reduction target.”

ii. Having regard to the blanket 10% carbon emissions reduction (CER) requirement over and above the Building Regulations, does the policy accord with paragraph 173 and 174 of the National Planning Policy Framework, and current Planning Practice Guidance (PPG) paragraph 009 Ref ID: 6-009-20150327 which states that “local requirements should form part of a Local Plan following engagement with appropriate partners, and will need to be based on robust and credible evidence and pay careful attention to viability”. Should the policy therefore include a proviso relating to the effect on the viability of a proposal?

3.11 Countryside Properties have reviewed the evidence base documents submitted in support of Policy CC/3 and would make the following comments;

- There appears to be no specific evidence base document that assesses the commercial viability of CHP/ DH systems in residential led development within South Cambridgeshire

⁴ A review of ‘Merton Rule’ policies in four local planning authorities in Cambridgeshire. Climate Works.2012. Page 40.

⁵ Cambridgeshire Renewable Infrastructure Framework (CRIF). Verco National Energy Foundation. 2012

- The evidence base document and the text within Paragraph 4.17 does not explicitly confirm that commercial viability has been assessed with regards to the CER.

3.12 Countryside Properties therefore request that the Council confirm the nature of the viability evidence that supports Policy CC/3.

iii. Is the policy too inflexible in prescribing that the CER has to be achieved solely through on-site renewable energy technologies? Should the initiative for achieving compliance with the principle of the policy rest with the applicant?

3.13 Based on Countryside Properties considerable experience of housebuilding and the development of Building Regulations and the (now revoked) Zero Carbon Policy (Countryside Properties were a member of the Zero Carbon Hub 'Timings to Zero Carbon' Group and other related working groups), we consider it essential for the soundness and practical implication of Policy CC/3 that flexibility is available to housebuilders to devise their own strategy to meet the 10% target with the most commercially and technically viable solution that suits their specification and dwelling type.

3.14 It is widely recognised that requiring standards significantly above the 2013 Building Regulations is simply not cost effective to improve the building fabric. In addition, and noting our earlier comments in respect to the very low heat demand of dwellings only technologies providing renewable electricity (such as solar PV) are becoming more viable to meet the 10% requirements above the Building Regulations. On large numbers of housing or new settlements, such large scale deployment of PV may give rise to visual or heritage constraints. In such situations, this leaves few technically viable options to provide the renewable electricity needed. However the inclusion of an allowable solutions policy (such as payment into the Cambridgeshire Community Energy Fund) would provide further flexibility for the applicant.

3.15 **To ensure Policy CC/3 is sound and can be implemented practically, we believe criteria 1 should be amended to;**

"Proposals for new dwellings and new non-residential buildings of 1,000m² or more will be required, where commercially and technically viable, to reduce carbon emissions (over the requirements set by Building Regulations) by 10% through the use of an enhanced building fabric, energy efficient technologies and/or on-site renewable energy technologies."

iv. In seeking to achieve the CER, should the policy adopt a fabric first approach in preference to on-site renewable energy technologies or integrated systems/site wide solutions?

3.16 Countryside Properties firmly believe that a 'fabric first' approach should be prioritised as such an approach has a number of distinct advantages:

- Carbon savings are 'locked in' to the fabric of the building for its lifetime as opposed to the projected operational lifespan of renewable energy technologies (circa 25 years)

- There are no maintenance costs or requirements for a 'fabric first' approach
- Such a solution does not require any amendments to occupier behaviour.

3.17 If our proposed amendments to criteria 1 as set out above are considered **sound** then this would allow the applicant the flexibility to secure the CER through a combination of, or single contribution from, a fabric first approach, or renewable and low carbon technologies or an allowable solution.

4. 2D Policy CC/4: Sustainable Design and Construction

i. Does the policy, as proposed to be modified, now accord with the new standards introduced following the Written Ministerial Letter dated 25 March 2015 and the subsequent government ‘Fixing the Foundations’ document and with the provisions of PPG paragraphs 014 Ref ID: 56-014-20150327 and 015 Ref ID: 56-015-20150327 which indicate that “where there is a clear local need then a local planning authority can set out Local Plan policies requiring new (housing) developments to meet the tighter Building Regulations’ optional water efficiency requirement of 110 litres/person/day”?

4.1 The Taylor Family and Countryside Properties recognise that Cambridge is in an area of water stress and therefore the higher water efficiency target of 110 litres per person per day is justified and reasonable.

4.2 It is our experience however that this higher water efficiency target (which is based solely on water use within the dwelling) can occasionally be technically challenging on larger residential dwellings with multiple bathrooms and toilets and therefore we request that the policy be amended to allow for the use of external water butts to contribute to this target. Countryside Properties also believe the provision of water butts to be of significant benefit to those homeowners with private gardens through the provision of substantial quantities of rainwater for private use.

ii. Does the criterion 2 accord with paragraph 174 of the National Planning Policy Framework, and the Planning Practice Guidance (PPG) 009 Ref ID: 6-009-20150327? Should the policy therefore take full account of the potential effect on the viability of a proposal?

4.3 We are satisfied that the water efficiency target (with the flexibility requested) is commercially viable and therefore sound in respect of paragraph 174 of the NPPF.

5. 2E Policy CC/5: Sustainable Show Homes

i. Does the policy accord with paragraph 174 of the National Planning Policy Framework, and the Planning Practice Guidance (PPG) 009 Ref ID: 6-009-20150327 [as set out in question C(i) above]? Is there credible and robust evidence to justify the policy? Should the policy take full account of the potential effect on the viability of a proposal?

5.1 The Taylor Family and Countryside Properties **object** to this policy on the basis that it is **unsound** and not supported by national policy nor an appropriate evidence base. Whilst Countryside Properties are fully supportive of sustainable development and many of the policies within this Local Plan, we foresee a number of issues with this policy which may render it unworkable and present unnecessary technical and commercial constraints to development. Our principal concerns are;

- Lack of Clear Guidance as to what constitutes a Sustainable Show Home (SSH). We acknowledge that Paragraph 4.22 lists a range of features that could be included within a SSH however several of the features listed in the policy will be required to meet current Building regulations and/ or policies within this plan and so would not be classed as 'above the norm'. If a SSH is therefore expected above this specification then this gives rise to further confusion in the absence of clear guidance, which if provided must be viability tested to meet the requirements of Paragraph 173 and 174.
- Viability and the lack of suitable evidence base. We have reviewed the evidence base supporting the Local Plan and cannot find any specific evidence to justify the commercial and technical viability of a SSH. It is our opinion therefore that it fails to meet the requirements of Paragraph 174 of The Framework.
- An absence of Consumer Demand. Countryside Properties have gathered a large volume of data from purchasers of their properties and, as yet, have not identified any demand for a 'highly sustainable dwelling' above the high specification already provided. In addition, it is widely recognised that affordability of dwellings is a key issue for housebuilders and consumers and particularly first time buyers. Given the substantial additional cost for some of the sustainability features we consider it unlikely that consumers could afford these options, particularly given the marked reduction in financial returns from these technologies through incentives such as the Feed in Tariff and Renewable Heat Incentive.
- Technical Viability. Given our comments to question 2C, Countryside Properties do not believe that some of the sustainability measures that might be expected for a SSH offer the consumer a cost effective way to reduce resource use. As an example, we do not believe that the market has developed a Greywater Recycling System that is both cost effective and reliable and hence we do consider it appropriate to offer such a system to our customers if we cannot support this technology.

5.2 We recognise and support the Council's ambition to stimulate greater consumer interest in more sustainable living and therefore would like to suggest that a more practical alternative could be to delete or significantly amend Policy CC/5 in favour for one which secures the following commitments from developers;

- Provision of information within the showhome with regards to the range of sustainability measures that will be provided simply by meeting current national and local policy.
- Provision of a 'Home User Guide' that provides each consumer with information and advice with regards to maximising the sustainability benefits of their dwelling.

ii. Are criteria 2 and 3 consistent with national policy which places the initiative with the developer to choose how carbon reduction targets are met rather than the end user?

5.3 Given our comments above, we consider that Policy CC/5 is **unsound** and should be significantly amended or deleted. Meeting the emerging policy within this plan will result in dwellings with a performance significantly greater than current Building Regulations and therefore additional improvements by the developer are unnecessary.

iii. Would criterion 3 be enforceable? What would constitute an 'unreasonable premium' and how would it quantified?

5.4 Criteria 3 is not enforceable given that it is unreasonable to assume that the Housebuilder must take responsibility for the installation of any additional sustainability measures above Building Regulations and the requirements of sound policy. For the purchase of any technology/ enhancement to a dwelling consumer has the right to search for the most competitive price and must take responsibility for its installation.

6. 2F Policy CC/6: Construction Methods

i. Is the policy justified as currently worded? Should criterion 4 be made more flexible and proportionate by setting out a development quantum threshold (e.g. the threshold for major development) below which the submission of supporting documents for a proposal would not be required?

- 6.1 The Taylor Family and Countryside Properties fully support the objective of Policy CC/6 but do believe that the **insertion of a threshold** for the submission of a Construction and Environmental Management Plan (CEMP) **would ensure the policy is sound.**
- 6.2 Countryside Properties has in place a corporate commitment to adhere to responsible construction practices. Prior to any construction project we will produce a Construction and Environmental Management Plan (CEMP) which will address as standard all of the issues in criterion 1-3 where viable. In this respect we consider Policy CC/6 appropriate and achievable although we do suggest that a threshold for the production of a CEMP would make the policy more viable and practical. To that end we suggest that only those developments above 10 dwellings be required to produce a CEMP.
- 6.3 Indeed, a requirement for a CEMP is a common planning condition and therefore we also suggest that the Policy be amended to allow the provision of a CEMP prior to construction as opposed to the planning application.
- 6.4 We do believe however that the policy wording could be improved through amending Criterion 4 as follows;

“Prior to the commencement of construction, major development applications over 10 dwellings will be required to submit a Construction and Environmental Management Plan (CEMP) to demonstrate that the requirements of Policy CC/6 have been implemented. Major applications are also required to register with the Considerate Constructors Scheme.”

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