

Matter 18: Renewables (Policies CS3 and CS4)

Inconsistency with the objectives in the Planning Framework, excessively onerous or likely to place unreasonable requirements on development

- 1) RPS considers the provisions of Policy CS4, as currently worded, to be inconsistent with the National Planning Policy Framework (NPPF), onerous and unreasonable on the basis that policy expressly requires applicants to demonstrate if and how CHP generation can be included in schemes of 100 dwellings or more and in non-residential schemes of more than 10,000sqm without providing any guidance on how this should be undertaken or setting out measures aimed at ensuring that such a requirement does not affect the viability of schemes or delay their delivery.
- 2) While there is some flexibility in relation to the implementation of criteria 5-8, there is little prescription on what is entailed in maximising opportunities to accommodate a district heat solution as required under criterion 4 of the policy; for example will applicants be required to ensure that the layout of proposals can facilitate future links to district heating measures and/or does it require the installation of enabling infrastructure?
- 3) In reality this requirement set out in criterion 4 potentially represents a resource intensive and expensive exercise at the start of the planning process that has the potential to delay the delivery of development. Most planning applications are submitted with some degree of risk and to expect applicants to investigate opportunities ahead of a grant of planning permission is unreasonable. As it stands, there is no technical justification for establishing this policy and the Council has yet to demonstrate the local circumstances and opportunities that will render it effective.
- 4) CSP has controlling interests at the East of Harry Stoke New Neighbourhood area and therefore represents a key partner in delivering one of the key strategic sites underpinning the Core Strategy. Whilst CSP supports the pursuance of sustainable construction measures and would welcome the opportunity to work with the Council in exploring opportunities to maximise CHP measures, one must not lose sight of viability considerations and the requirement to bring forward development without delay. Development must not be delayed pending the exploration and/or implementation of district heating networks.
- 5) This emphasis upon prioritising deliverability is supported in paragraphs 173-177 NPPF which outline the importance of facilitating viability and deliverability when preparing Local Plans:

“Plans should be deliverable. Therefore, the sites and the scale of development identified in the plan should not be subject to such a scale of

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obligations and policy burdens that their ability to be developed viably is threatened.”¹

- 6) Meanwhile paragraph 174 emphasises the importance of assessing the likely cumulative impacts on development of all existing and proposed local standards, SPDs and policies that support the development plan when added to national required standards. Depending on the level of information required to demonstrate how opportunities to accommodate district heating measures have been maximised, this coupled with a 35% affordable housing target, local Code for Sustainable Home requirements and development contributions provided for elsewhere in the Core Strategy could adversely impact upon the delivery of development in the early years of the plan period when there are prevailing economic difficulties.

- 7) Accordingly a careful balance needs to be identified in the Core Strategy and it is submitted that Policy CS4 needs to be an ‘encouraging’ as opposed to a ‘requiring’ policy. The policy needs to be more selective in relation to where, when and how district heating network opportunities should be explored whilst also being sufficiently flexible to account for technological advances which may render district heating proposals outdated. In addition, the exploration of opportunities to facilitate district heating opportunities should not impede development and the policy needs to be amended to reflect this requirement.

¹ NPPF, March 2012, Paragraph 173