

1. MATTER NO 18 QUESTION 1 -

IS EITHER POLICY (CS3 OR CS4) INCONSISTENT WITH THE OBJECTIVE IN THE PLANNING FRAMEWORK, EXCESSIVELY ONEROUS OR LIKELY TO PLACE UNREASONABLE REQUIREMENTS OF DEVELOPMENT?

1.1 It should be noted that Barratt Developments Ltd is represented by a number of participants at the South Gloucestershire Core Strategy EIP. In the context of the housing opportunity area at Thornbury (Park Farm), Pegasus Planning Group wish to make the following comments in relation to this matter:

1.2 Core Strategy Policy CS3 relates specifically to proposals for renewable and low carbon sources. It does not relate to other types of development, unless proposals for renewable and low carbon sources are included within the proposals for development.

1.3 The sixth bullet point of paragraph 17 of the NPPF (Core planning principles) states that planning should:

“Support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources (for example, by the development of renewable energy)”.

1.4 Policy CS3 is therefore entirely consistent with this core planning principle contained within the NPPF as it supports proposals for the generation of energy from renewable or low carbon sources, provided that it will not cause demonstrable harm to residential amenity, either individually or cumulatively.

1.5 The fact that Policy CS3 states that the Council will support proposals for the production of renewable energy provided that it will not cause demonstrable harm, meets the aims of NPPF paragraph 97 bullet 2 as this requires LPAs to design policies which maximise renewable and low carbon energy development, while ensuring that adverse impacts are addressed satisfactorily, including cumulative landscape and visual impacts. In considering any planning applications, before concluding that demonstrable harm will be caused, the applicants and Council will have exhausted options to ensure that adverse impacts are addressed satisfactorily.

- 1.6 In essence, in determining a planning application against Policy CS3, the Council is also applying the tests of paragraph 98 of the NPPF.
- 1.7 For the above reasons, it is therefore concluded that Policy CS3 is entirely consistent with the Framework.
- 1.8 Policy CS4 is, however, a prescriptive policy which requires developments to provide certain mechanisms to deliver renewable or low carbon heating or CHP generation on site, which are in excess of what is currently required by Building Regulations.
- 1.9 Pegasus Planning Group on behalf of Barratt Developments Ltd objects to the wording of Policy CS4, in particular given that it currently requires major developments to either (summarised):
- Include renewable or low carbon heating or CHP and distribution infrastructure on site; or
 - Connect to an existing renewable or low carbon heat distribution network; or
 - Provide a heat distribution network as part of the development where there are other firm proposals in the locality; or
 - Provide evidence that renewable and low carbon sources of heating or CHP have been fully explored and are unfeasible.
- 1.10 The NPPF does not prescribe that Local Authorities must include within their Core Strategies/Local Plans prescriptive policies to ensure that developments meet certain criteria to ensure more sustainable developments.
- 1.11 The Framework specifically advises at paragraph 95 that, to support the move to a low carbon future, local planning authorities should:
- Plan for new development in locations and ways which reduce greenhouse gas emissions;
 - Actively support energy efficiency improvements to existing buildings; and
 - When setting any local requirement for a building's sustainability, do so in a way consistent with the Government's zero carbon buildings policy and adopt nationally described standards. (Our emphasis)

- 1.12 To accord with the Framework, developments should be required to meet and adopt the nationally described standards; which are clearly set out in the Building Regulations for renewable or low carbon energy generation at the time when planning permission is granted. If for example, an LPA has a much more stringent policy requirement than a neighbouring authority, this will only have the effect of over-burdening development in that authority, contrary to Paragraph 21 of the Framework.
- 1.13 In relation to the proposed development at Park Farm, whilst Barratt Developments Ltd objects to the policy as it stands, this does not affect the allocation of land at Park Farm, Thornbury for development. The requirement to meet Policy CS4 is a detailed development control matter which will be applied when determining a planning application.

