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## Document history

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A review of local planning policies addressing climate change ..... 1

A report for Crawley Borough Council ..... 1

by the Energy Centre for Sustainable ..... 1

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The supplement to PPS1 on Planning and Climate Change<sup>6</sup> sets out the Government's national policies on how planning should contribute to the mitigation of, and adaptation to, climate change and identifies a number of key planning objectives for both regional and local planning. Paragraph 26 sets out local requirements for decentralised energy to supply new development, and states that local planning authorities should "set out a target percentage of the energy to be used in new development to come from decentralised and renewable or low carbon energy sources where it is viable." In addition, the PPS supplement recommends that "where there are particular and demonstrable opportunities for greater use of decentralised and renewable or low carbon energy" they should prepare development area or site specific targets to secure this potential.

Site specific and area wide policies should be supported by an "evidence based understanding of local feasibility," and crucially, paragraph 33 makes it clear that the local planning authority must ensure that what is proposed is "viable, having regard to the overall costs of bringing sites to the market...the need to avoid any adverse impact on the development needs of communities...and is consistent with securing the expected supply and pace of housing development."

Further Government commitment to reducing the carbon emissions arising from new development is evident in its adoption of the Code for Sustainable Homes (CSH) and the Government's ambition to ensure that all new homes are 'zero carbon' by 2016 (and all non residential development by 2019). The PPS1 supplement states that "when proposing any local requirement for sustainable buildings, planning authorities should specify the requirement in terms of achievement of nationally described sustainable buildings standards" (paragraph 32), such as the CSH.

The PPS supplement also emphasises the role that planning can play in shaping "sustainable communities that are resilient to and appropriate for the climate change now accepted as inevitable." Paragraph 24 states that local planning authorities should have careful regard for the selection of land for development so that open space and green infrastructure can be utilised for "urban cooling, sustainable drainage systems, and conserving and enhancing biodiversity;" and so that consideration is given to the "physical and environmental constraints on the development of land such as sea level rises, flood risk and stability."

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The Draft South East Plan<sup>7</sup> is the Regional Spatial Strategy for the South East of England. In July

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A review has been undertaken to gauge the current scale and breadth of adopted local planning policies relating to low carbon/renewable energy and climate change resilience and adaptation. This took

The selection of the local authorities reviewed in this document is based primarily on those with adopted policies that seek to address climate change mitigation as this is an area which has received significant attention in recent years and is a clearly identifiable variable as it is concerned with a relatively narrow range of issues (energy generation and consumption, and carbon emissions). However, when contacted about their mitigation policies, the planning authorities reviewed in this document were also questioned about their policies for climate change adaptation in order to give an overview of the current practice in this area. As a result, specific references in adopted policies to measures addressing passive cooling, water consumption and sustainable drainage were identified and noted, along with any requirements for development to meet particular levels of the Code for Sustainable Homes or BREEAM standards as these also incorporate a number of adaptation measures. However, flood risk management and biodiversity policies were not reviewed as although these issues are relevant in the context of climate change, they are well established aspects of local planning.

A more detailed summary of the current guidance available to local planning authorities when devising policies for climate change adaptation is included in chapter 4.

During the review, the policies of each local authority were assessed against six criteria in order to allow a comprehensive understanding of their potential merit:

- Policy development
- Compliance assessment
- Outcomes
- Resource implications
- Monitoring and reporting
- Plans for policy review

The full assessment of each policy against these criteria can be found in the appendix, whilst the key findings from the review of each local authority's policies are presented in the remainder of this chapter.



Reading  
Borough  
Council

January 2008

**CSH/BREEAM:** Eco homes 'Very good' (equivalent to CSH level 3) is required for all residential developments and BREEAM 'Very good' for commercial developments of over 500m<sup>2</sup>. For larger developments of 10 or more dwellings or 1,000m<sup>2</sup> of floorspace, 50% of the provision should meet the most up to date Eco Homes and BREEAM 'Excellent' standards.

**MITIGATION:** For developments of 10 or more dwellings or over 1,000m<sup>2</sup>, a 20% reduction in CO<sub>2</sub> is also required from renewable sources and energy efficient design measures, including the use of CHP where appropriate.

**ADAPTATION:** Developments are required to reduce mains water use and incorporate water conservation measures so that consumption is in line with CSH and BREEAM standards. Developments are also required to incorporate sustainable urban drainage facilities and techniques







Milton Keynes has been a leading local authority on sustainable planning policy for some years, having adopted its current policy in 2005, when there was little guidance available. A number of

carbon neutrality through a lower cost route by making a financial contribution for off site mitigation may account for

Subsequently the inspector's report required the inclusion of a caveat within CP14 stating that "only where a developer can satisfy the Council why the higher target of 20% cannot be achieved will the lower target of 10% be applied." The Council was disappointed with the

developments maximise the use of energy efficiency and energy conservation measures in their design, layout and orientation to reduce overall energy demand.”

Policy CP1 also sets requires all new development to meet EcoHomes “very good” (CSH level 3 equivalent) or BREEAM “very good” (with higher standards sought)

compliance with this but is unable to enforce compliance as this does not benefit from the weight of adopted policy. In practice, this requirement has been relaxed should a developer object to the demands placed upon them in relation to sustainable design and construction.

Given the amount of time that the Council has been implementing climate change mitigation policies,

achievable as a result of the high level of building due to take place as a result of its designation as a growth area.

However, in acknowledgement of the high standards sought, the Inspector did require the inclusion of a statement allowing the policy to be relaxed despite the findings in the Council's evidence base, if it could be demonstrated that it "is not technologically practicable, would make the scheme unviable or impose excessive costs on occupiers." This caveat has not yet been used and the Council accredits this to its planning policy, building control and development control teams working closely with developers to ensure compliance is achieved. However, it should be noted that since the policy was adopted, only approximately 10 applications above the threshold for policy CS10 have been received.

A second table in policy CS10 which set higher standards for the period 2015 to 2021 was removed by the Inspector, as he did "not consider that it is sensible at this time to try to predict what will be practicable and desirable in the latter part of the plan period." There is no government or regional guidance to support the setting of future standards now other than the time table for zero carbon status through the CSH. This may have influenced the Inspector in not supporting this part of the policy.

Part C of the policy was developed along the same model as the offset scheme in policy D4 of Milton Keynes Council's Local Plan (which has not yet been subject to examination), and was adopted with no changes made by the Inspector. This could again be attributed to Ashford's circumstances as both a growth area and an area particularly vulnerable to some aspects of climate change (notably water supply). However it could also be a signal that offset funds may become a more widely accepted means of achieving carbon neutrality in the future. The detail of this part of the policy is currently being consulted upon in a draft SPD and so it is not yet being required of developers. The Council sees this provision as a 'last resort,' to be applied only when carbon neutrality is not possible parts A and B of the policy.

Whilst most adaptation measures are dealt with through the requirement for CSH or BREEAM, the Council does include policy CS20 Sustainable Quality

target in the Policy.<sup>18</sup> The Council felt that sufficient details were expressed in the draft South East Plan and intended to include further detail in a future DPD or SPD.

After representation from SEERA, the inspector chose to include the 10% target based on the recommendations of the draft PPS1 supplement. The draft PPS supplement expected 'substantial new development to gain a significant proportion of its energy supply on site and renewably' but also stated that 'in the interim period before a significant proportion is sourced and refined through the preparation and adoption of a development plan document...

development

shading, a feasibility assessment for green roofs and the enhancement of biodiversity. For developments over 1 hectare, SuDS and other measures for surface water run off are required

Policy officers used the Draft South East

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methods such as sustainable urban drainage' and avoiding 'increasing the risk of, or from, flooding." These requirements are being enforced as and when required (usually for larger schemes), and will also be expanded upon in the future DPD.

North Norfolk District Council has one of the most recently adopted DPDs of those reviewed in this report. Its core strategy was adopted in September 2008 and includes policy EN6: *Sustainable Construction and Design* which brings together climate change mitigation and adaptation on one policy.

The first sentence of policy refers to the need for all applications to demonstrate how they will minimise energy and resource consumption, and be designed

setting site specific targets with a supporting evidence base is a valuable approach if higher standards are to be enforceable.

The Council is however experiencing a good level of compliance with the 100% requirement for major developments although only 4 energy consumption statements verifying this have been submitted to date. The Council will be flexible in its approach where necessary, for example, one of the four proposals submitted to date achieved compliance through a section 106 agreement for an offsite wind turbine as the development was a new prison and on site renewables were not practical due to security issues. The Council places an emphasis on pre application discussions to achieve the best solution, which it finds time consuming, but this is expected to improve as applicants become more familiar with the policy.

LPA	Summary of policy
London Borough of Merton	<p><b>CSH/BREEAM</b></p> <ul style="list-style-type: none"> <li>All new residential development will be required to meet or exceed the CSH level 1 and all new development over 10 units will be required to meet or exceed an overall CSH level 3.</li> </ul> <p><b>MITIGATION</b></p> <ul style="list-style-type: none"> <li>Requirement that one or more residential units (including conversions) and all non residential development shall incorporate on site renewable energy equipment in order to reduce the predicted carbon dioxide emissions by at least 10%</li> <li>For strategic developments the Mayor's aspirations will be applied and set out in an energy statement to accompany the application.</li> <li>Extensions to incorporate on site renewable energy equipment equivalent to at least 10% of the extension's energy demand where technically feasible. Details are contained in the Sustainable Design and Construction</li> </ul>

London Borough of  
Barking and  
Dagenham

**CSH/BREEAM**

- Strategic developments (those referred to the Mayor) must meet CSH level 4 5 or BREEAM “excellent.” Major developments should meet CSH level 3 4 or BREEAM “very good” – “excellent.” Minor developments will be encouraged to meet CSH level 2 or BREEAM “very good.”

**MITIGATION**

- Strategic development should achieve a 44% reduction in emissions over Building Regs, whilst major developments should achieve a 25% reduction.
- Strategic and major developments should achieve 20% reduction in carbon emissions through on site renewable.
- Strategic and major developments in Barking Riverside, the Barking town and

At first glance, the majority of the climate change mitigation policies assessed in this review are focused on a similar requirement for a minimum 10% or 20% reduction in CO<sub>2</sub> emissions. However, closer review of the policies has shown a large variation in the specific nature of the policies, the way in which they were developed and dealt with during the inspection process (where appropriate) and the way that they are being implemented. The (in)s are

However, Ashford Borough Council's efforts to set targets for future standards in its core strategy were less successful, with these being removed by the Inspector. Conversely, North Norfolk District Council's target for future ramping up of standards of CSH and renewable energy contributions were found to be sound, although they were less ambitious than those of Ashford Borough Council. This

which did not meet compliance were old outline applications or those in conservation areas, the London Borough of Croydon has found that developers are less willing to comply with the aspects of its policy that are set out in the SPD. Therefore it frequently has to relax the requirement for CSH level 4 and BREEAM "excellent." This may be due to reluctance by the Council to test its position at appeal, mindful of the PPS1 Supplement's explicit advice to LPAs to define the detail of their policies in a DPD (as opposed to an SPD).

Most of the councils interviewed said they will negotiate with developers to achieve compliance with the specified level of on site measures wherever possible, but where there were exceptional circumstances, it appeared that the policy may be relaxed and some consideration given to whether the benefit of meeting this policy outweighed other planning objectives. Where councils had included a financial viability clause in their policies, some developers had utilised this to justify lower standards of renewable energy/carbon reduction than prescribed (Croydon, Bracknell Forest).

North Norfolk has successfully implemented a mechanism which enables developers to deliver less than 10% of predicted energy use through on site renewable energy by making payment to offset the 'balance' through a section 106 agreement. The London Borough of Barking and Dagenham also proposes this mechanism in its preferred options policy. In Milton Keynes and Ashford if the provision of onsite renewable energy does not meet the level required, policy compliance would still be achieved through carbon neutrality contributions. However it should be noted this has not yet been tested in Ashford as the Council is still consulting on the final details of its carbon neutrality fund. It should however be mentioned that to date, Ashford Borough Council has been successfully implementing its site specific polTT18180228TT11Tf00260TD0Tc0003Tj/TT21TfHm122650TD0.0006Tc(carbon)Tj/TT11Tf265








The national and regional policy context for adaptation to climate change through the planning process is set out in chapter 2. More specific advice can be found in the practice guidance to the PPS1 supplement on Climate Change. The document advises that “an area’s vulnerability to climate change and the options for addressing them should be considered both in the core strategy and when identifying land for development” and that a similarly “robust evidence base” will be needed to support adaptation measures as is required for mitigation policies. This should include;

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2. The adoption of development area and site specific targets to secure high standards of development is encouraged by the PPS, but many LPAs have yet to do this and there is little precedent for this approach. However, government guidance on this is available and subject to demonstrating this will have no significant adverse impact on other planning objectives, Crawley should be confident that sound policies can be adopted to achieve this.
3. The success of LPAs in adopting will 

monitoring information is available. One consequence of this is to limit the opportunities for building competence and confidence when addressing climate change within the Councils'



The standards for water reduction are as follows:

	<i>Pass</i>	<i>Good</i>	<i>Excellent</i>
<i>Expected water use</i>	<i>105 litres per person (residential)</i>  <i>25% reduction (commercial)</i>	<i>90 litres per person (residential)</i>  <i>50% reduction (commercial)</i>	<i>80 litres per person (residential)</i>  <i>70% reduction (commercial)</i>
<i>Water collection or recycling measures to be used</i>	<i>Water butts</i>	<i>Rainwater harvesting</i>	<i>Grey water recycling and rainwater harvesting</i>
<i>Amount of the hard surfaces and conveyance systems to be permeable (e.g. streams, swales and filter drains)?</i>	<i>50%</i>	<i>75%</i>	<i>100%</i>

The Council's innovative policy was predominantly led by the Senior Planning Policy Officer at the time, but now has considerable political support as the Council sees itself as being at the forefront of action on sustainable development and seeks to achieve high standards.

The specific details of the policy are set out in an SPD and have subsequently not been subject to inspector's examination. However, as the Council does not yet have any DPDs, it felt that this was the most appropriate course of action in order that it had an enforceable policy.

The Sustainable Construction SPD sets out a checklist detailing the minimum standards which need to be met for compliance with policy D4. Developers are recommended to use the checklist as the basis of their sustainability statement, but this should be supplemented with additional





Source: Matthew Chapman, Planning Policy Officer

The Council adopted its Core Strategy in October 2008. The core strategy includes the following policies:

### Policy CP14

*The Council will encourage all residential development (either new build or conversion) to meet Code level 3 as set out in the published Code for Sustainable Homes. Commercial\* development with a floor area of 500m<sup>2</sup> or greater will be encouraged to meet the BREEAM "Very Good" standard.*

*All new residential development (either new build or conversion) and commercial\* development with a floor area of 500m<sup>2</sup> or greater will be required to reach a minimum percentage saving in CO<sub>2</sub> emissions through the incorporation of on site renewable energy (as set out in the table below). The requirement varies according to the type of development and in the case of dwellings, the size of development.*

<i>Development Type</i>	<i>Percentage savings in CO<sub>2</sub> emissions through the provision of renewable energy technologies</i>
<i>Dwellings (1-9 units)</i>	<i>10%</i>
<i>Dwellings (10+ units)</i>	<i>20%**</i>
<i>Commercial* (500m<sup>2</sup> +)</i>	<i>10%</i>

*Development over 5000m<sup>2</sup> will be expected to incorporate combined heat and power or similar technology.*

*Small scale renewable energy projects will be permitted except where there are overriding environmental, heritage, landscape, amenity or other constraints.*

\* Commercial includes all forms of non residential development, for example social and commercial premises, offices, shops, hotels, etc.

## Policy CP15 – Environmental Quality

*In order to promote a high quality, flexible, safe living environment and to minimise the* to

An environmental performance statement is required as part of the design statement. This currently comes in various forms as resource constraints mean that guidance on the implementation of the policies has yet to be developed and the Council often refer developers to guidance produced by other councils.

As mentioned above, the Council reported a high compliance rate with the 10% SE2 policy and there have been no appeals or refusals on applications subject to the 10% carbon reduction policy since October. The policy is often exceeded. However, due to the current economic climate, no applications for developments of 10 or over have been submitted since the 20% policy was adopted, so developer reactions to this are as yet unknown.

The Council has found that both prior to, and since October 2008, it has experienced few problems with local developers in implementing the 10% policy because of developers' increasing levels of familiarity with this type of policy.

The majority of time has been taken up in the development of the policy rather than compliance checking. Regarding the latter, development control officers check the statements and refer them to the planning policy team where necessary. The onus is placed on the developer and their consultants to submit the correct information, but the Council has consulted energy consultants and the Energy Savings Trust for advice on applications in the past.

There is no system in place at present, but a database is being developed.

There are no plans for review at present.

Source: Kieran Roughan, Planning Policy Manager

Since the last review by

difficulty in enforcing it, with developers stating that the policy was not flexible enough. The resulting adopted policy allows the 20% to be met through both renewable sources and energy efficient design measures, including CHP.

The Council also commissioned a report into the viability of policy CS1 as they felt that an increasing importance was likely to be placed upon this in the future. This evidence base was critical in policy CS1 being found to be sound and the Council were also able to remove the 'where viable' clause from the policy (which had been present in the SPD version and was used frequently by developers to not install renewable technologies).

Some representations were made during the examination process requesting that the Code for Sustainable Homes standard be used instead of Eco homes. The Council undertook work to assess the cost implications to the developer of a change from Eco homes 'very good' to either level 3 and 4 of the CSH and subsequently suggested changes to be made to the core strategy to reflect the new standard. However as the Core Strategy supplementary text already stated that it would consider evidence based on the CSH, the inspector did not consider these changes to be necessary.

The only change made to CS1 during the examination process was to change the water consumption target from a requirement for water use not to exceed 125 litres per person per day to a requirement not to exceed the levels in the CSH or BREEAM. This change was made to allow for changing circumstances.

Unknown.

The planning policy manager was unable to give any details on the number of times that any part of policy CS1 has been applied.

Source: Tim Wiseman, Environment Officer

The Croydon Replacement Unitary Development Plan

## EP6 Water

*Development requiring drainage will be permitted only if it uses a sustainable drainage system unless there are practical reasons for not doing so, such as local ground conditions or the density of the development.*

*The Council will impose conditions, or seek a planning obligation, to ensure that the drainage system is provided and safeguarded in the long term*

The supporting text to policy EP6 states that the Council will encourage “the provision of facilities that reduce the demand for water from public water supplies.”

Croydon employs a full time officer to deal with the policy EP16. Half of another officer's time is also designated to the policy. These officers will either respond with recommendations to the case officer or may speak directly to the developer. Generally the onus is placed on the developer's consultants to produce the correct information, but the designated staff feel confident in discussing and resolving these matters. An external contact is used occasionally.

The Council keeps track of applications which have complied with the policy and is able to provide statistics on the

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*Revised standards for 2015 onwards will be set in a review of the Core Strategy or a DPD.*

*Where any site is brought forward as*

Milton Keynes Council and included a requirement that the remaining emissions of a development be met through a 'financial contribution and/or off site renewable energy facilities, energy efficiency schemes and tree planting.' This part of the policy is being consulted upon through the draft Sustainable Design and Construction SPD, but it is proposed that a contribution is made into the Ashford Carbon Fund upon completion of a development, based on the Shadow Price of Carbon (SPC) set by DEFRA. This is quantified over a 10 year period and a formula is set out in the SPD.

Adaption issues were predominantly dealt with through the CSH standards set out in the policy, and sustainable drainage was dealt with through the separate policy CS20.

The Council produced a topic paper on sustainable construction to support policy CS10 at the examination process, however, a number of objections were made to the policy by developers who felt that the requirements were too onerous, particularly the requirement for CSH level 4 for urban extensions and greenfield sites, the high water standards for commercial developments and part b of the policy which set high standards for the percentage of carbon reductions to be met through low carbon and renewable sources.

Most objections were disregarded by the inspector given the local

Part C of policy CS10 regarding the financial contributions has not yet been applied as the details are being consulted upon in the current SPD. Whilst part C should be viewed as a last resort, a contribution will need to be made into the carbon fund to reflect the residual emissions being emitted to enable carbon savings to be made elsewhere within the Borough.

Sustainability checklists are dealt with by either building

Source: Nigel De Witt, Principle Planning Officer

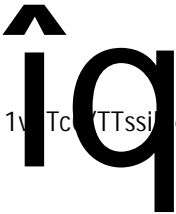
The core strategy was adopted in September 2007 and includes the following policy:

**(taken from Policy CP1 Sustainable Development)**

*In selecting locations for development and determining planning applications the Borough Council will seek to minimise waste generation, reduce the need to travel and minimise water and energy consumption having regard to the need for 10% of energy requirements to be generated on site from alternative energy sources and the potential for recycling water. Where possible, areas liable to flood will be avoided.*

The supporting text sets out (amongst others) the following examples of measures which could be taken to comply with the policy:

- the natural drainage of surface water, including, where appropriate, the use of Sustainable Urban Drainage Systems (SuDS)
- taking account of tidal and fluvial flood risk;
- aiming to meet Code Level 3 of the Government's Code for Sustainable Homes for new build dwellings;
- maximising the efficient use of water including recycling of dirty water;
- wherever possible, creating carbon neutral development;
- orientating buildings to



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that more bespoke training will probably be needed so that development control staff can play more of a role when the threshold is lowered (see plans for policy review).

The principle planning officer keeps a record of all the energy statements he has been involved, recording whether they have achieved compliance and how.

The Council is currently preparing a DPD entitled Managing Development and the Environment which includes a chapter on Climate Change and is expected to go out to consultation in summer 2009. The document will cover both adaptation and mitigation and is supported by an evidence base looking at the costs and viability of a number of different options. As result of this evidence base, the consultation DPD will propose that the 10% renewable energy requirement is met by all new development

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Source Melissa Reed, Policy Team Manager

Bracknell Forest adopted their core strategy in February 2008. It includes two relevant policies.

### Policy CS10: Sustainable Resources

*Development proposals will be accompanied by a Sustainability Statement demonstrating how current best practice in the sustainable use of natural resources has been incorporated.*

The details of this policy are set out in the supplementary text to the core strategy and SPD entitled Sustainable Resource Management, adopted in October 2008. It is stated that the sustainability statement must show how new residential developments will meet CSH level 3, and how new non residential development should meet BREEAM "very good" or "excellent." The checklist uses these schemes to set out a number of minimum standards for adaptation including the level of water consumption, shading, a feasibility assessment for green roofs and the enhancement of biodiversity. For developments over 1 hectare, SuDS and other measures for surface water run off are required.

### CS12: Renewable Energy

*Development proposals for five or more net additional dwellings or for 500 square metres (GEA) or more of floorspace for other development, will be accompanied by an energy demand assessment demonstrating how (potential) carbon dioxide emissions will be reduced by at least 10% and will provide at least 20% of their energy requirements from on site renewable*



Whilst no viability testing was carried out, the Council carried out a scoping exercise to support the examination process and ensure compliance with the Climate Change supplement to PPS1 which had recently been published. As a result, there were no changes to the policy made by the inspector.

A sustainability assessment must be submitted as specified in policy CS10 in order to demonstrate how the appropriate CSH or BREEAM levels will be met and an accreditation certificate must be produced before occupation. An energy demand statement is also required as part of the sustainability assessment demonstrating how policy CS12 is to be met.

Once received, the statements are internally verified by a planning policy officer.

Whilst the Council is fully applying policy CS12, it is unsure as to how many energy demand statements have been received since the policy was adopted.

The SPD states that if a developer can demonstrate that policy CS12 is unviable, the policy may be relaxed. A number of developers have used the viability clause citing th.82287ne3

Source: Susie Peck, Planning Policy Officer

The Council adopted its Core Strategy in July 2007, prior to the publication of PPS1. It includes the following policy:

Developers are required to submit an energy statement to demonstrate compliance with Surrey Structure Plan policy SE2. Developers are referred to guidance produced by Surrey County Council.

The Surrey Structure Plan policy SE2 is being applied in all circumstances, from developments of 1 dwelling and the Council will not enter into negotiations to offset the policy against others. A good level of compliance is reported, no applications have been refused on the basis of non compliance and there have been no appeals as a result of the policy.

Adaptation measures are requested as and when they are deemed necessary on the basis of policy

CS6. This is in line with the Surrey Structure Plan policy CS6. The Council will not enter into negotiations to offset the policy against others. A good level of compliance is reported, no applications have been refused on the basis of non compliance and there have been no appeals as a result of the policy.

Source: Helen Dixon, Sustainability coordinator

### EN6 Sustainable Construction and Design

*All new development will be required to demonstrate how it minimises resource consumption, minimises energy consumption compared to the current minimum required under part L of the Building Regulations, and how it is located and designed to withstand the longer term impacts of climate change. All developments are encouraged to incorporate on site renewable and / or decentralised renewable or low carbon energy sources, especially in those areas with substation capacity issues. The most appropriate technology for the site and the surrounding area should be used, and proposals should have regard to the North Norfolk Design Guide.*

*All new dwellings will be required to achieve at least a two star rating under the Code for Sustainable Homes. This requirement will rise over the plan period and by 2010 new dwellings will achieve at least a three star rating and by 2013 new dwellings will achieve at least a four star rating. These standards require consideration of issues such as:*

- *orientation to maximise solar gain;*
- *use a ~~ea~~*

supplement. The progression to a 20% target from 2013 was a result of high political aspirations and reasoning that as the Council had also decided to ask for CSH level 4 in 2013, requiring a reduction in CO<sub>2</sub> of 44%, the need for renewables would be higher. There were some objections to the progressive targets over the fact that the demands were too onerous but the inspector found the policies to be sound.

The final paragraph of policy EN6 requiring a 20% reduction in energy demand was added with a particular urban extension of over 100 dwellings in mind. The sustainability coordinator stated that she thinks this higher requirement will only be used in this one instance as whilst the sentence 'Where site conditions are particularly suitable' was included to allow the 20% level to be sought in more circumstances, she feels it is unlikely ever to be used in practice as it is too weakly worded to enforce and would probably result in objections over the definition of 'particularly suitable.'

The Council has published a comprehensive design guide<sup>32</sup>

developments). A 100% compliance rate was achieved all these cases, although for one energy consumption statement, compliance was secured through a section 106 agreement for an offsite wind turbine as onsite measures were unpractical given the nature of the development.

The case officer refers all sustainable construction checklists and energy