

Matter 8 – Climate Change, Flood Risk and Renewable Energy

March 2018

Local Plan Examination Matter Statement



*Oadby and Wigston
Borough Council*

Issue 1 – whether policy 38 is consistent with national policy and effective.

Q1. Is Policy 38 worded to ensure that it will be effective and that it would provide a clear indication of how a decision maker should react to a development proposal? In particular, is the requirement to submit a Sustainability / Energy Statement justified and how will a decision maker know when the reductions of potentially harmful emissions, demonstrated in the Sustainability / Energy Statement, are sufficient to make the proposal acceptable?

Council response;

1. Yes. The Council considers that Policy 38 is worded to ensure that it will be effective and will provide a clear indication of how a decision maker should react to a development proposal. The National Planning Policy Framework (NPPF) at paragraph 95 states 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.'*

2. Policy 38 of the Submission Local Plan states that *'the Council will expect all major-scale planning applications, including refurbishments (11 or more residential units or 1,000+ square metres of floor area) to be accompanied by a Sustainability / Energy Statement demonstrating how (potential) harmful emissions will be reduced by addressing issues, including:*

- *Energy efficiency;*
- *Water conservation;*
- *Sourcing of construction materials;*
- *Giving consideration to site orientation aspects of a scheme;*
- *Promoting sustainable means of transport;*

- *Sustainable waste management solutions (during and post-construction); and,*
- *The feasibility of integrating renewable energy solutions into the development.*

The level of detail required will depend upon the scale and complexity of the application and will be determined through collaboration with the Council.'

3. To ensure that the Council can consistently apply both NPPF policy requirements and local policy requirements, any proposal must illustrate to the Council that it is contributing / supporting the move towards a low carbon future.

4. The Council considers that it would not be appropriate or justified to produce a threshold or percentage reduction that development proposals should be assessed against, as development proposals should be assessed on a case by case basis and there would be no evidence to support such thresholds or percentage reductions.

5. In terms of the policy requirement to submit a Sustainability / Energy Statement, the Council would assess any proposals against a 'baseline' of the development proposal with no reduction in harmful emissions. Any proposal that specifies demonstrable measures that confirm a positive reduction in harmful emissions from this 'baseline' would be supported by the Council.

6. Therefore the statement would need to set out the 'baseline' position and then assess how, for example, improving energy efficiency could positively reduce the impact of the 'baseline' position.

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Q2. Policy 38 requires proposals for development to incorporate on-site renewable energy generation or on-site provision of buildings that reduce the need for non-renewable energy use? Is the requirement justified and could there be circumstances where both could be provided on one site?

Council response;

7. Yes. The Council considers that the requirement of Policy 38 for development proposals to incorporate on-site renewable energy generation or on-site provision of buildings that reduce the need for non-renewable energy use is justified and contributes towards the aspirations set out within the NPPF.

8. The NPPF states at paragraph 93 that; *'planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development'*.

9. The NPPF also states at paragraph 94 that *'local planning authorities should adopt proactive strategies to mitigate and adapt to climate change...'*

10. The requirement set out within the policy for on-site renewable energy generation, is positive and proactive in its approach. The Council however, is aware that it would not want to burden the viability or feasibility of development proposals unduly, therefore within the policy sets out that if the development of on-site energy generation renders a development proposal unfeasible or unviable, on-site energy generation would not be required. The Council considers that this approach ensures the Council has a positive strategy for reducing the impact that new development has on climate change, as well as allowing sufficient flexibility to not unduly burden the feasibility or viability of development proposals. The Council considers that it is the proposers responsibility to illustrate to the Council how a development is contributing towards reducing the impacts on climate change or why it is not appropriate that it should.

11. The Council considers that there could be circumstances where both on-site renewable energy generation and on-site provision of buildings that reduce the need for

non-renewable energy use could be provided on one site as a combined scheme to fulfil the requirements of Policy 38, for example the use of solar photovoltaic technology on the roof of homes that are of a zero carbon emission standard.

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