

Eden District Local Plan Examination

Issues and Questions for Examination at the
Hearing Sessions

Issue P: Policy ENV5

Statement by Eden District Council

April 2016

Issue P - ENV5 - Environmentally Sustainable Design

Is this policy justified and consistent with current National guidance?

The LPA is satisfied that Policy ENV5 is consistent with National Guidance, paragraphs 96 and 97 of the NPPF state respectively:

“96. In determining planning applications, local planning authorities should expect new development to:

- comply with adopted Local Plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and
- take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.”

“97. To help increase the use and supply of renewable and low carbon energy, local planning authorities should recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources. They should: have a positive strategy to promote energy from renewable and low carbon sources;

- design their policies to maximise renewable and low carbon energy development while ensuring that adverse impacts are addressed satisfactorily, including cumulative landscape and visual impacts;
- consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure the development of such sources;
- support community-led initiatives for renewable and low carbon energy, including developments outside such areas being taken forward through neighbourhood planning; and identify opportunities where development can draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers.”

The explanatory text makes it clear that the Council requires developers to demonstrate that they have “considered” aspects of sustainable design, but does not seek to be overly prescriptive in setting out its requirements. We consider that this policy will encourage applicants to adopt appropriate features in their schemes.

Response to Representations

There are three outstanding representations which concern the Policy.

The respondent (Respondent ID: 52/ Response ID: 111) recommended that it be made clear that part four of the Policy does not apply to residential development.

No change to the policy is required because the wording was reviewed as part of SD020: Eden Local Plan Preferred Options Draft. The policy makes it clear that the requirements set out in the policy should be considered 'where practical'.

A respondent (Respondent ID: 70 / Response ID: 340) commented that Local Authorities should no longer apply standards relating to construction, and energy and emissions requirements through the planning process because this is now achieved through building regulations.

The Policy seeks to encourage developers to consider the opportunities for enhancing the environmental sustainability of their schemes. The wording of the policy also reflects Planning Practice Guidance.

Story Homes (Respondent ID: 65/ Response ID: 247) opposed the prescriptive requirement for SUDs in the policy.

As stated above the purpose of the policy is to encourage proper consideration of opportunities for enhancing environmental sustainability of schemes at the outset. The wording of the policy is supported by Planning Practice guidance.