

 <b>Executive 3<sup>rd</sup> December 2008</b>		<b>Agenda Item No.</b>
<b>Title</b>	Supplementary Planning Document on Sustainable Buildings	
<b>For further information about this report please contact</b>	Gary Stephens (Group Leader, Policy, Projects and Conservation)	
<b>Service Area</b>	Planning	
<b>Wards of the District directly affected</b>	All	
<b>Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006</b>	No	
<b>Date and meeting when issue was last considered and relevant minute number</b>	16 <sup>th</sup> July 2008 Executive. Minute number 272	
<b>Background Papers</b>	Warwick District Local Plan 1996 – 2011 Report to Executive on the Draft Sustainable Buildings SPD (16 <sup>th</sup> July 2008)	

<b>Contrary to the policy framework:</b>	No
<b>Contrary to the budgetary framework:</b>	No
<b>Key Decision?</b>	Yes
<b>Included within the Forward Plan? (If yes include reference number)</b>	Yes (117)

Officer/Councillor Approval		
With regard to officer approval all reports <u>must</u> be approved by the report authors relevant director, Finance, Legal Services and the relevant Portfolio Holder(s).		
Officer Approval	Date	Name
Relevant Director	12/11/08	Bill Hunt
Chief Executive	13/11/08	Chris Elliott
CMT	13/11/08	
Section 151 Officer	13/11/08	Mary Hawkins
Legal	12/11/08	Peter Oliver
Finance	12/11/08	Marcus Miskinis
Portfolio Holder(s)	12/11/08	Cllr John Hammon
Consultation Undertaken		
<ul style="list-style-type: none"><li>Internal consultation has been carried out on the SPD with officers from Development Control, Building Control and Conservation</li><li>The Draft Sustainable Buildings SPD was subject to a six week period of public consultation between the 29<sup>th</sup> August 2008 and 10<sup>th</sup> October 2008 (A summary of the responses to this is contained in Appendix 2 to this report).</li></ul>		
Final Decision?		Yes
Suggested next steps (if not final decision please set out below)		

## **1. SUMMARY**

- 1.1 This report requests that the Council adopts the Sustainable Buildings Supplementary Planning Document for use in decision making for development control purposes.

## **2. RECOMMENDATION**

- 2.1 That the Sustainable Buildings Supplementary Planning Document attached as Appendix One to this report is adopted by the Council for use in decision making for development control purposes.
- 2.2 To update the planning validation checklist for applicants to include the requirement to submit a Sustainable Buildings Statement with planning applications

## **3. REASONS FOR THE RECOMMENDATION**

- 3.1 The Council has set out its commitment to prepare a Supplementary Planning Document on Sustainable Building in the Local Development Scheme where it is scheduled for adoption in December 2008. The SPD expands upon policies DP11 (Drainage), DP12 (Energy Efficiency) and DP13 (Renewable Energy Developments) of the Warwick District Local Plan 1996 – 2011 by setting out the Council's approach to ensuring the use of renewable energy, energy efficiency and water conservation measures in new development.
  - 3.2 The Draft Sustainable Buildings SPD and Background Documents were approved by the Council's Executive on the 16<sup>th</sup> July 2008 for public consultation. A six week period of public consultation was carried out between the 29<sup>th</sup> August 2008 and 10<sup>th</sup> October 2008
  - 3.3 A total of 24 respondents made comments over the six week period. The revised version of the SPD which includes the changes made as a result of the consultation exercise is attached as Appendix One. A summary of the representations, together with a response and, where appropriate, proposed changes are set out in Appendix Two. In addition a number of other changes to the structure and wording were made to the SPD to reflect internal consultation, updated and additional policy guidance and to address any typographical errors.
  - 3.4 The Council is required to produce a number of background documents to support the SPD which are identical to those provided with the draft version. These are available on the Council website and are not replicated here.
  - 3.5 In accordance with the Local Development regulations a full Sustainability Appraisal was prepared with the Draft SPD. This was revisited following the consultation exercise and the non technical summary along with the other background documents is attached as Appendix Three to this report. The full Sustainability Appraisal can be viewed on the Council website at:  
[www.warwickdc.gov.uk/sustainablebuildings](http://www.warwickdc.gov.uk/sustainablebuildings)
- ## **4. ALTERNATIVE OPTION CONSIDERED**
- 4.1 None. The Council is not required to produce a Sustainable Buildings SPD however it has publicly committed to do so in the Local Development Scheme and in Policy DP13 of the Warwick District Local Plan 1996 – 2011.

## 5. **BUDGETARY FRAMEWORK**

- 5.1 There are no budgetary implications resulting from the Supplementary Planning Document which will be implemented using existing resources.

## 6. **POLICY FRAMEWORK**

- 6.1 The Supplementary Planning Document accords with the Council's planning policies contained in the Warwick District Local Plan 1996 – 2011. Its adoption will assist the Council in meeting commitments made within the Corporate Strategy and the Sustainable Community Strategy / Local Area Agreement.

## 7. **BACKGROUND**

- 7.1 The Draft SPD, background documents and representations forms were made available at 9 deposit points across the district which included Riverside House, libraries and one stop shops. The documents were also placed on the Council's website. Letters were sent out to a list of statutory consultees, interested groups and those who had responded to the SA Scoping Report. A notice advertising the consultation period was published in the local newspaper.
- 7.2 Representations were received from a total of 24 individuals, companies and organisations. These included:
- 4 individuals
  - 5 town and parish councils
  - 3 Organisations
  - 4 Cllrs / Political groups
  - 5 Statutory Organisations
  - 3 Commercial Organisations
- 7.3 The majority of representations were generally supportive of the SPD and its objectives. The following are more detailed responses and comments made in respect of the SPD.
- 7.4 A number of comments were made suggesting that the requirement for renewable energy should be higher than 10% and that the guidance on sustainable drainage and energy efficiency should be stricter. Whilst this would be encouraged, it is noted that this would go beyond existing requirements set out in Local Plan Policies DP11, DP12 and DP13 and therefore render the SPD unsound.
- 7.5 It was also suggested by respondents, that by applying the 10% requirement to all developments, the SPD was contrary to RSS (Preferred Option) policy SR3 and Local Plan Policy DP13. In response, it was pointed out that the SPD seeks to clarify what is meant by 'in appropriate residential and non residential circumstances'. The policy is applied to all developments **unless** it can meet one of the criteria set out in section 4 **and** has been designed to a high level of energy efficiency. This allows for instances where the installation of renewables would not be feasible, would conflict with other planning objectives or would be financially unviable and would undermine the delivery of the development.
- 7.6 It was suggested that more emphasis should be given to the contribution of energy efficiency measures in reducing carbon emissions. There is concern that the SPD implies that developments designed to a high level of energy efficiency but with no renewables would be refused whilst other developments with renewables but with a

higher overall energy demand would be acceptable. The SPD has been reworded to clarify that it expects development to maximise energy efficiency together with the use of renewables as part of an integrated approach to achieving sustainable construction.

- 7.7 Objections were also made to detailed aspects of the framework for calculating the 10% requirement and the content of the Energy Statement. A number of minor changes were made to clarify and expand upon the requirements.

### **Implementation of the Policy**

- 7.8 The implementation of the SPD will be assisted through the following;
- Continued involvement in the sub-regional renewables group to exchange information and best practice on implementing renewables and energy efficiency measures with other local authorities in the sub-region.
  - The production of a toolkit to assist in the calculation of the 10% requirement for applicants.
  - Further training on aspects of different renewable and low carbon technologies and their implementation within the planning system.
  - A local agent's workshop on the SPD to increase awareness of its requirements and the different types of renewable and low carbon technology which are available.