

ISSUE 9: ENERGY (POLICY 20)

9.1 Are all the requirements of policy 20 reasonable, justified and in accordance with current national advice?

9.1.1 This policy has a general requirement for developers to consider the opportunities available to use low carbon and renewable energy and residual heat/cooling networks for major development proposals. More specifically, the final paragraph of this policy requires new major development to incorporate renewable/low carbon energy production equipment to provide at least 10% of predicted energy requirements. This is consistent with paragraph 1(a) and 1(b) of the Planning and Energy Act 2008 which allows local planning authorities to impose reasonable requirements for:

(a) a proportion of energy used in development in their area to be energy from renewable sources in the locality of the development.

(b) a proportion of energy used in development in their area to be low carbon energy from sources in the locality of the development.

9.1.2 Although the Government has announced its intention to repeal part (c) of this act relating to energy efficiency, parts (a) and (b) will remain, and given the growing body of research regarding the impact that a carbon-based economy is currently having on global warming, the Council considers it necessary to impose renewable/low carbon energy requirements.

9.1.3 It is noted that the Home Builders Federation (rep 71) objected to this policy, stating that the policy requirement for development to incorporate renewable/low carbon energy production equipment to provide at least 10% of energy requirements is contrary to national policy, and that all applicants are required to demonstrate compliance with Part L of the Building Regulations. However, for the reasons set out above, the Council disagrees with the Home Builders Federation as the Government has only announced its intention to repeal part (c) of the Planning and Energy Act 2008 and has not indicated that parts (a) and (b) will be repealed. Additionally, Part L of the Building Regulations does not override or supersede the Planning and Energy Act 2008.

9.1.4 This policy complies with paragraph 94 of the National Planning Policy Framework (CD1/01) which states that planning authorities should adopt proactive strategies to mitigate and adapt to climate change, and paragraph 93 which emphasises the role planning plays in securing radical reductions

in greenhouse gas emissions. It also complies with policy 97 which states that local planning authorities should:

- Have a positive strategy to promote energy from renewable and low carbon sources; and
- Design their policies to maximise renewable and low carbon energy development...'

9.1.5 The Adur District Council Whole Plan and Community Infrastructure Levy Viability Assessment (CD24/11) estimates that the renewable/low carbon energy requirement may cost the developer an additional £500 per dwelling. However, the study does not identify any specific adverse impacts on viability associated with this cost and it also does not take account of any potential uplift in the value of development that renewable energy installations may result in due to reduced energy costs for the end user. Furthermore, site promoters have not sought to challenge this policy or indicated that it would affect the viability of strategic sites coming forward.