

14/0095

### **Representation re. Condition 7**

The agent for the application has questioned the justification for condition 7 which seeks renewable or low-carbon sources of energy into the detailed design of the development at reserved matters stage. This has been questioned on the basis of the applicant considering it is, *“covered by Building Regulations and furthermore there would be no policy justification for its application.”*

### **Officer Comment:**

Changes as a result of a Housing Standards Review by the Government earlier this year have resulted in the withdrawal of the Code for Sustainable Homes and introducing a new system of optional Building Regulations on water and access, and a new national space standard (“the new national technical standards”). This system complements the existing set of Building Regulations, which are mandatory.

A written planning Ministerial Statement to Parliament (March 2015) states that, *“the government’s policy is that planning permissions should not be granted requiring, or subject to conditions requiring, compliance with any technical housing standards other than for those areas where authorities have existing policies on access, internal space, or water efficiency.”*

It is considered that this change in approach and statement/guidance does not preclude requiring renewable or low-carbon sources of energy within development, through planning conditions. Indeed, the ‘national technical standards’ do not deal with energy sources. To my mind the provision of such elements on a major housing scheme are part and parcel of achieving a high standard of design and sustainable development, as required by the NPPF. This contributes towards achieving the NPPF environmental role of sustainability, and supporting the transition to a low carbon future and encouraging the use of renewable sources as outlined within the 6<sup>th</sup> core planning principle of the NPPF.

Therefore, condition 7 is considered to be appropriately justified.

### **Amendment to Heads of Terms**

I wish to amend the following Head to refer specifically to ‘traffic calming measures’ as follows:

*A contribution of £3,500 per dwelling towards highway improvement works for traffic calming measures on the A20.*

### **RECOMMENDATION**

My recommendation remains unchanged subject to the amendment to the Heads of Terms as outlined above.

**The Head of Planning and Development BE DELEGATED POWERS TO GRANT planning permission subject to a legal agreement and conditions.**