

Wednesday 8th June 2022

By email only to: planningpolicy@warwickdc.gov.uk

Dear Sir / Madam,

RE: Net Zero Carbon Development Plan Document – Regulation 19

This letter provides Gladman Developments Ltd's (Gladman) response to the current consultation held on Warwick District Council's Net Zero Carbon Development Plan Document (DPD) – Regulation 19. Gladman welcome the opportunity to comment on the Draft DPD and request to be kept updated on progress moving forwards and any further consultations. It is our understanding that the Council are aiming to adopt the DPD by the end of 2022.

Gladman acknowledges that this consultation is primarily concerned with the legal compliance and soundness of the Draft Net Zero Carbon DPD. However, since the Regulation 18 consultation (which took place between July - September 2021), the Council have included two new policies (policies NZC3 and NZC4) in the Draft DPD and have also undertaken amendments to policy wording and the supporting policy text. As such, Gladman will comment on these changes and additions as this will feed into the assessment of legal compliance and soundness of the DPD.

As with Gladman's previous representations, we have identified that there are currently elements of the DPD which we are of the opinion require further refinement.

Policy NZC1: Achieving Net Zero Carbon Development

Gladman welcome the greater clarity provided in Policy NZC1 outlining the type of developments which are required to achieve net zero operational regulated carbon emissions. However, criterion bullet (i) identifies that a minimum of a 63% reduction in carbon emissions is achieved as compared to the baseline emission rate set by Building Regulations Part L 2021. As Gladman highlighted in their representations to the previous Regulation 18 consultation, it is imperative that the policy remains flexible to allow for any update of the Building Regulations to ensure that the policy is operating in tandem with the most up to date guidance.

Policy NZC1 includes reference to the provision of an energy statement to be submitted by applicants to demonstrate how their proposals will meet the policy requirements as set out in criteria i. to iv. It is imperative that the Council identifies more clearly what is to be contained and included with an energy statement and to differentiate the levels of detail between Full, Outline and Reserved Matters



applications. This information needs to be provided so that the DPD can be effective in delivering the overall strategy.

Within the supporting text there is a hierarchy of energy measures set out to address carbon emissions. Gladman considers that further information needs to be provided on some of the points, for example point 2a) makes reference to large scale renewable or low carbon energy sources but it does not identify whether these are expected to be on-site or for the development to connect to off-site schemes which could provide renewable or low carbon utilising energy to the development.

Gladman are supportive of the inclusion of text within the policy which notes that where proposals which can't be fully compliant with the criteria due to feasibility / viability reasons, applicants can demonstrate this within their submitted energy statements and state what can actually be delivered within the development proposal.

Policy NZC2(A): Making Buildings Energy Efficient

In Gladman's previous representations, a re-wording of the policy was suggested to ensure that the policy retained its flexibility when the 2013 Building Regulations are updated. While the Council have updated the policy to make reference to the Part L 2021 Target for Fabric Energy Efficiency, the policy wording still makes reference to Part L 2013 of the Building Regulations. This may be an error as the 2013 Building Regulations are not referred to elsewhere within the supporting text to the policy, however Gladman's comment still stands as it is important for the policy to retain its flexibility.

Policy NZC2(B): Zero or Low Carbon Energy Sources and Zero Carbon Ready Technology

This policy now combined with the previous NZC2(C) Zero Carbon Ready Technology policy. Paragraph 7.4 identifies that the Council anticipate that heat pumps or near-zero-carbon heat networks will have already been deployed in the design to achieve the required initial 63% carbon reduction against Part L 2021. Gladman support the removal of the list of bullet points which were included in the previous iteration of Policy NZC2 which were proposed to be considered within the submitted energy statement. The replacement policy wording of "*additional renewable, zero and low carbon energy technologies have been provided on-site*" is a lot clearer and concise for applicants.

Policy NZC2(C): Carbon Offsetting

Policy NZC2(C) includes a requirement for development proposals which cannot demonstrate that they are net zero carbon, applicants will be required to address any residual carbon emissions by either; providing a cash in lieu contribution towards the District Council's carbon off-setting fund or towards a verified local off-site offsetting scheme, with the delivery of such scheme to be located in Warwickshire or Coventry.

As with other policies within the draft DPD, it does not provide a differentiation between Full, Outline or Reserved Matters applications. The supporting text and policy text need to complement one another, the policy text identifies that the contribution will be required where a development cannot demonstrate that it is net zero carbon. However, the supporting text identifies that "*off-setting should only be used where a developer has maximised on-site carbon reductions through applying NZC2(A) and NZC2(B) and only acceptable where it is demonstrated that it is the only option available to enable necessary development to be brought forward*". It is important that the policy and supporting text

complement each other, rather than in this case the contribution either being an option of last resort or a viable method to pursue.

Policy NZC3: Embodied Carbon

Policy NZC3 highlights the importance of providing thorough guidance on the content of the energy statement which will need to be submitted by an applicant to support their planning application. This policy requires energy statements to demonstrate how the embodied carbon of the proposed material to be used in the development has been considered and reduced where possible. This information will not be possible for an outline application to provide accurately, as the final house types, materials and design will not be provided at the outline application stage and as such this policy and requirements should only apply to Full and Reserved Matters applications.

Conclusions

Gladman welcome the opportunity to comment on Warwick District Council's Draft Net Carbon Zero DPD – Regulation 19 and we request to be kept up to date on the progress of this document moving forwards and any future consultation(s) on the Draft DPD. Gladman are supportive of the general principle of improving energy efficiency, however we still feel there are a few policy working tweaks as well as additional information required to ensure that the draft DPD is sound. Whilst the Council progress forward with the draft DPD, it will be important that the provision of additional guidance on this topic is forthcoming and that it aligns with the Government's aspirations, national planning policy and Planning Practice Guidance.

We hope you have found our representations helpful and constructive. If you do have any questions, please do not hesitate to contact me.

Yours faithfully,



Robert Wilding
Senior Planner



Gladman Developments Ltd