

APPENDIX NG2

Inquiry Note on Renewables and Low/Zero Carbon Energy Issues

Town and Country Planning Act 1990 Section 78 appeal against the refusal of planning permission

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Subject of Note: Renewables and Low/Zero Carbon Energy Issues

Appeal: APP/W0340/W/20/3265460

Site: Sandleford Park, Newtown Road, Newbury

Proposal: Outline planning permission for up to 1,000 new homes; an 80 extra care housing units (Use Class C3) as part of the affordable housing provision; a new 2 form entry primary school (D1); expansion land for Park House Academy School; a local centre to comprise flexible commercial floorspace (A1-A5 up to 2,150 sq m, B1a up to 200 sq m) and D1 use (up to 500sq m); the formation of new means of access onto Monks Lane; new open space including the laying out of a new country park; drainage infrastructure; walking and cycling infrastructure and other associated infrastructure works. Matters to be considered: Access.

Date: 07 April 2021

Council Reference: 20/01238/OUTMAJ

Inquiry Note

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April 2021

Council Reference: 20/01238/OUTMAJ

Revision:

Issued:

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1. Introduction

Qualifications and Experience

- 1.1 My name is Adrian David Slaughter
- 1.2 I hold an honours Bachelor of Science in Environmental Biology from Oxford Brookes University and a Master of Science in Environmental Management & Technology from Oxford Brookes University.
- 1.3 I have been employed by West Berkshire Council since 2001 and I have had various job titles over the years in roles with similar responsibilities. For the past 13 years my role has focused on the sustainability and energy agenda, both within the Council as an organisation, and the district as a whole. My current post title is Energy and Programme Delivery Team Manager.
- 1.4 I am familiar with the surrounding area, the appeal site and the appeal proposal.
- 1.5 I confirm that the note, which I have prepared and provided for this appeal inquiry is true to the best of my knowledge and belief. I confirm that the opinions expressed are my true and professional opinions.

Purpose of this Inquiry Note.

- 1.6 I have prepared this note on Renewables and Low/Zero Carbon Energy Issues to be appended to Mr Grigoropoulos' proof of Evidence (Appendix NG2) and to assist the appeal being determined by way of Inquiry at the forthcoming Round Table Discussion on this issue in respect of the appeal lodged by Bloor Homes and Sandleford Farm Partnership ("the Appellant"), against the refusal of outline planning application (Council reference 20/01238/OUTMAJ) for a residential-led development at Sandleford Park, Newtown Road, Newbury.

2. Relevant Policies and Background

Core Strategy (CD8.5)

- 2.1 In providing a framework for more detailed policies and site specific proposals, the Council's Core Strategy (2006 – 2026), adopted 2012, was developed in consultation with various stakeholders including developers and members of the public. These consultations, and analysis of the evidence base, resulted in a document that has as its very first identifiable strategic objective 'Tackling Climate Change' and a commitment to exceed national targets for carbon dioxide emissions reduction and to deliver the District's growth in a way that helps to adapt to and mitigate the impacts of climate change.
- 2.2 To this end, the Core Strategy adopted a number of policies that are relevant to development at Sandleford Park and energy and sustainability:

CS3 (Sandleford Strategic Site Allocation) which requires "*generation of on-site renewable energy*".

CS14 (Design Principles) which expects all development proposals to seek to minimise carbon dioxide emissions through sustainable design and construction, energy efficiency, and the incorporation of renewable energy technology as appropriate and in accordance with Policy CS15.

CS15 (Sustainable Construction and Energy Efficiency) which in respect of renewable energy requires all major development to achieve the following minimum reductions in total CO₂ emissions from renewable energy or low/zero carbon energy generation on site or in the locality of the development as long as a direct physical connection is used, unless it can be demonstrated that such a provision is not technically or economically viable.

In respect of Residential Development:

From 2014 a 20% reduction in CO₂ emissions;
from 2016: Zero Carbon.

- 2.3 It should be noted that in respect of residential development Policy CS15 specifically advises that the percentage reductions in CO2 emissions stated above should be based on the estimated CO2 emissions of the development after the installation of energy efficiency measures related to either the Code for Sustainable Homes, or equivalent method of minimum standards of construction.

The Sandford Park SPD (CD8.14)

- 2.4 In addition, Sandford Park, as an identified strategic site within the Core Strategy, has a specific adopted Supplementary Planning Document (first adopted in September 2013 and amended in March 2015) that was developed in collaboration with the landowners at Sandford Park and is a material consideration in determining the planning application.
- 2.5 The SPD identifies a number of strategic objectives for the site. Strategic objective 13 seeks *“to deliver the development on site in a way that maximises the potential for carbon reduction, sustainable construction and renewable energy generation”*.
- 2.6 SPD Paragraph 99 acknowledges that *“West Berkshire district is one of the highest energy users in the South East and is within the upper quartile of Local Authorities for carbon dioxide emissions within the region. Whilst there may be a number of district specific contributory factors involved, the Council is committed to carbon reduction, sustainable construction and renewable energy generation. A key objective of the Core Strategy is therefore to exceed national targets for carbon dioxide emissions reduction and deliver the District’s growth in a way that helps to adapt and mitigate the impacts of climate change. ...”*
- 2.7 SPD Paragraph 100 says that *“the targets for Sandford Park in respect of carbon dioxide ... will need to accord with policy CS15 of the Core Strategy. They will however, need to be reviewed at regular intervals over the life of the build as Government policies and targets evolve”*.
- 2.8 SPD Paragraph 111 recognises that *“there are opportunities for on-site renewable energy generation embedded within the built form”*.
- 2.9 In this respect the SPD Development Principles R relate to Renewable Energy. Specifically: Development Principle R1 states: *“The development at Sandford Park*

will be expected to fully exploit the latest sustainable construction techniques together with 'building embedded' technology (such as photovoltaic roof panels) in order to minimise the use of resources, maximise efficiency and reduce both carbon emissions and energy consumption, whilst delivering a high quality development that meets the policies (specifically CS15) and objectives of the West Berkshire Core Strategy".

- 2.10 The explanatory text to R1 includes: *"due to Sandleford Park's inclined south facing orientation, greenfield status and scale, there is significant potential to deliver an exemplar site regarding carbon dioxide reduction in the form of renewable energy generation and the sustainable construction standards".*

Comments and current contextual background

- 2.11 Since the Core Strategy and the Sandleford Park SPD were written, the Government removed Code for Sustainable Homes and did not progress with the Zero Carbon Standard or Allowable Solutions.
- 2.12 As this did not happen, then it is considered that the development should seek to achieve zero carbon through reduction in CO₂ emissions from renewables following Footnote 74 to Core Strategy Policy CS15 which acknowledges that the requirements for zero carbon were based on the Government's stated aspirations for zero carbon to current Building Regulations. There is no evidence that this would not be deliverable or unviable in the context of the appeal site and the appeal proposal.
- 2.13 However, if that is not accepted then at least a minimum of 20% reduction in CO₂ emissions to the energy needs of the residential development should be delivered from renewables after conforming to current Building Regulations.
- 2.14 Most recently, in January 2021, as part of its formal response to a consultation on changes to Part L and Part F of the Building Regulations for new dwellings (CD17.19 para 2.40), the Government announced that in order to provide certainty in the immediate term (taken to mean until such time as the 'interim' Building Regulations come into force) that they will not amend the Planning and Energy Act 2008, which means that local planning authorities retain powers to set local energy efficiency standards for new homes.

2.15 Since the adoption of the Core Strategy in 2012, environmental issues and in particular Climate Change concerns have moved on at pace and are now at the forefront of the public consciousness and Government Strategic Planning. The Department of Business, Energy and Industrial Strategy (BEIS) public attitude tracker, undertaken in December 2020 (CD17.20), identifies that 81% of the public said that they were either fairly or very concerned about Climate Change. The same survey identified that support for the use of renewables was at 78% of those surveyed. Opposition to the use of renewable energy remained low at 3%.

West Berkshire Climate Emergency Declaration and Environment Strategy

2.16 Locally, West Berkshire Council declared a Climate Emergency in 2019 (CD17.21) with the strategic objective of achieving 'carbon neutrality' for both the Council and the District by 2030. There are now 300 Local Authority (District, County, Unitary & Metropolitan) 'Climate Emergency' declarations in existence in the UK.

2.17 The Climate Emergency declaration committed West Berkshire Council to producing and adopting an Environment Strategy (CD8.25), a corporate strategy, that outlined the issues at hand, the key areas it was aiming to address, and, at a high level, the strategic objectives it was going to achieve in order to move towards its carbon neutrality target.

2.18 Adopted in 2020, the Environment Strategy uses the most up to date statistics produced by the government to frame the issue and will use the same statistics to measure progress against the 2030 target.

2.19 At the time of writing of the Environment Strategy, the 2017 dataset (emissions within the scope of influence of Local Authorities) (CD17.22) identified that as a sector 'Domestic' emissions within West Berkshire from the use of electricity, gas and other fuels are responsible for 253.9 kilo-tonnes of CO₂ per annum.

2.20 On this basis, the Environment Strategy specifically identifies the decarbonisation of heat in the domestic sector as a key issue that needs to be addressed if we are to achieve our 2030 objective. The Environment Strategy also identifies that the Council will work with and encourage residents and businesses to achieve an additional 20MW of renewable energy in the District by 2030.

Local Plan Review 2020-2030 Emerging Draft

- 2.21 More recently, the Local Plan Review 2020-2030: Emerging Draft (CD8.13), which was out to consultation until 5th February 2021, includes the following emerging policies:
- 2.22 SP5 'Responding to Climate Change', which requires all development to contribute to West Berkshire becoming and staying carbon neutral by 2030 and depending on the nature and scale of proposals, development will be expected to inter alia *"generate and supply renewable, low and zero carbon energy for its own use and/or local distribution networks"*. The policy requires that proposals should demonstrate how these have been embedded into the development. The level of information provided should be proportionate to the scale and nature of the development proposed.
- 2.23 Paragraph 5.3 of the explanatory text to emerging Policy SP5 states:- *"Through the Climate Change Act 2008, the UK has committed to reducing greenhouse gas emissions, and to increase energy generation from renewable sources:*
- *an 100% (amended by Order in 2019) reduction in net greenhouse gas emissions by 2050 (from 1990 levels);*
 - *sourcing 30-45% of its energy from renewable sources by 2030.*
- 2.24 Policy DC3 'Building Sustainable Homes and Businesses' requires *"where appropriate, all new development will incorporate a proportion of future energy use from renewable energy sources with ... a minimum of 20% for proposals of 10 or more homes..."*.
- 2.25 Paragraph 10.18 of the explanatory text to policy DC3 confirms that *"viability work undertaken for the Local Plan Review 2037 to date, has already tested the viability based on "carbon neutral" development and has concluded it is not a barrier to development in West Berkshire"*.
- 2.26 Furthermore Policy SP16 'Sandleford strategic site allocation' states that *"Development of the site will be expected to deliver (inter alia) ... on-site renewable energy to assist in the delivery of a carbon neutral development"*.

3. Assessment

- 3.1 Given the strategic nature, size and topography of the site at Sandleford Park, there is an opportunity for this development to be an exemplar for CO₂ emissions reduction from renewable and zero/low carbon energy generation on site for the district and beyond and the catalyst for developments in West Berkshire to address the issue of climate emergency at the local level and deliver the 2030 Environment Strategy objective. Indeed the site allocation policy specifically requires this provision.
- 3.2 As an example with 1080 homes at the appeal site, with its favourable circumstances, if each home were to install/embed an average of a 4 kW peak solar PV system, which is realistic, it would conservatively be expected to produce 3000 kWh of energy per annum, which is clean and readily available on site to be harnessed, that may otherwise have come from the national grid. This currently equates to a saving of 755 tonnes of CO₂ per annum for the site, rather than an equivalent increase in the District's CO₂ emissions. Over time, as the carbon intensity of the national grid reduces, the associated CO₂ savings from the application of Solar PV will also reduce but there will still be a net CO₂ saving associated with their use on the site.
- 3.3 However the opportunities are much more extensive on a large strategic greenfield site, of this scale and size and importance. There is also potential for low carbon heating in the form of solar thermal, air and ground source heat pumps, and other renewable and low/zero energy generation, greatly contributing and assisting towards the 2030 zero carbon objective and potentially securing a zero carbon development at Sandleford, providing the important catalyst for harnessing renewables in West Berkshire.
- 3.4 The proposed residential component of 1080 dwellings, which comprise the overwhelming majority of the proposed development on the site, both as refused and also submitted under "Wheatcroft", fail to grasp the opportunity to propose and secure a definite provision of renewable and low/zero carbon energy generation on site, and not just for the minimum provision that one would expect from a 10 unit scheme, but increasing and maximising the harnessing of renewable and low carbon sustainable energy generation on the site.
- 3.5 Reliance on developing in accordance with the prevailing provisions of Part L of the Building Regulations at the time of construction is not adequate, sufficient or good

enough. There is no justification that extensive harnessing of renewable on site is not viable as part of the appeal proposal.

- 3.6 The appeal proposal is no longer assessed in the context of the run-up to 2016 and its aftermath as the earlier Sandleford Park proposals had been. It is assessed in 2021 following the declaration of climate emergency in the district (and indeed elsewhere) and the setting of the 2030 carbon neutral objective of the West Berkshire Environment Strategy, as well as the realisation of the climate crisis at all levels of administration and government, from the local, through to national and global.
- 3.7 It is also being assessed in the context and the support in the 2019 NPPF for a transition into a low carbon future and the need to shape places in ways that contribute to radical reductions in greenhouse gas emissions and the support for renewable and low carbon energy (NPPF para 148). Furthermore, one never knows whether the 2016 situation will repeat itself. The proposal fails to go forward with a carbon neutral development and any use of renewables whatsoever. As the situation stands at this point the proposal disregards and avoids this important element. The Appellant should instead be eager proponents and lead the way in respect of renewables, as the 'custodians' and potential developers of such an important site within West Berkshire. The use of renewables should be maximised irrespective of any other energy conservation measures deployed on site. The failure to fully exploit renewables in, what are, favourable circumstances, in effect translates into the need for the equivalent energy load to be produced by the national grid and by burning fossil fuels instead as part of the bigger picture and thus continue to contribute to the climate crisis and emergency.
- 3.8 This is an unsustainable situation and a false economy. Future home owners and residents will expect their homes to be sustainable. This needs to become and is increasingly becoming the norm. Sandleford Park with its strategic allocation is in effect a rare resource in renewables and sustainability terms. Being one of the largest and high profile sites and developments in West Berkshire for many years ahead, it has a very important and vital role to play within the District, both physically as well as in terms of its adverse reputational impact.
- 3.9 Indeed if the appeal proposal does not maximise the use of renewables on site, other developers within the rest of the SSSA, as well as within the other emerging strategic site allocation at North East Thatcham (Local Plan Review Policy SP17), may well seek to adopt a similar negative and counterproductive lowest common denominator

approach to renewables and climate change and as such West Berkshire will not realise the important target of carbon neutrality by 2030.

4. Conclusion

- 4.1 As such the proposal remains inappropriate and damaging both directly and indirectly. It is therefore unacceptable, inappropriate and unsatisfactory and would fail to provide the required sustainable urban extension at Sandlesford which would be fit for the 21st Century and which would positively contribute to the important local, national and global objective of adapting to and reversing the climate crisis and emergency. Instead the proposal is therefore harmful in terms of sustainability and will contribute to the climate emergency with wider implications as it comprises on of just two future strategic sites in the district.
- 4.2 In this respect I consider that both the refused proposal and the “Wheatcroft” submission currently at appeal are contrary to:
- Core Strategy strategic objective and Policies CS3, CS14, CS15;
 - Local Plan Review Emerging Draft Policies SP5, SP16 and DC3;
 - Sandlesford Park SPD strategic objective 13 and Development Principle R1; and
 - NPPF paragraphs 148, 150, 151 and 153.