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| **Title:** | **Planning Condition: Energy (17/00471/DISC) Land South West Of Bicester Adjoining Oxford Road And Middleton Stoney Road Bicester** |
| **Request Date:** | 05/10/2017 |
| **Due:** | 06/10/2017 |
| **Issued:** | 09/10/2017 |
| **Name of Cherwell Employee Requesting:** | Jenny Barker  [jenny.barker@cherwellandsouthnorthants.gov.uk](mailto:jenny.barker@cherwellandsouthnorthants.gov.uk)  01295 221828 |
| **Details of Request:** | Review energy condition of application: 17/00471/DISC: Land South West Of Bicester Adjoining Oxford Road And Middleton Stoney Road Bicester |
| **Actions:** | See comments below |

**Condition:**

The original condition states that:

*The dwellings hereby approved shall be constructed to be 19% more efficient than required by building regulations (2013 Part L). This shall be demonstrated in an Energy Statement which shall be submitted to and approved in writing by the LPA prior to the commencement of any development on the site. The development shall be built in accordance with the approved Energy Statement.*

*Reason - To ensure sustainable construction and reduce carbon emissions in accordance with Policy ESD3 of the adopted Cherwell Local Plan Part 1 2011-2031 and Government guidance contained within the National Planning Policy Framework.*

**Assessment:**

The energy statement attached to the application (dated August 2017, prepared by David Wright) states:

*Bovis Homes have been requested to provide a report showing its approach to reducing CO2 emissions by 19% through the “Fabric First” approach and the use of renewable energy.*

The document provided states that the calculations have been *‘produced using SAP 2012 and 2013 Building Regulations for which the site has been registered under for Building Regulation approval, which are in excess of your Local Plan and Planning Policy Guidance notes requirements’*. In addition to energy the documents sets out the following (in addition to the requirement for a 19% reduction).

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|  | **Requirement (ESD 3)** | **Response** |
| **Energy** | All new residential development will be expected to incorporate sustainable design and construction technology to achieve zero carbon development through a combination of fabric energy efficiency, carbon compliance and allowable solutions in line with Government policy. | SAP Calculations provided show an aggregated energy reduction of 19% across 207 units.  This is non-compliant with the condition as this is required at a unit level. The SAP Calculations provided do not demonstrate a 19% reduction across all unit types. |
| **Lighting** | Minimising both energy demands and energy loss | 100% of the internal lighting will be energy efficient lighting (with specification). |
| **Drying Space** | Rotary airers to be provided in garden space. |
| **White Goods** | Any white goods provided will have the appropriate A + energy rating. Dwellings that are not supplied with kitchen appliances will be provided with an information leaflet giving guidance on the EU energy labelling scheme. |
| **External Lighting** | External lights where provided will have a maximum wattage of 100W and will be fitted with PIR movement detecting control devices, or daylight cut off sensors, or timers. |
| **Materials** | * Incorporating the use of recycled and energy efficient materials * Incorporating the use of locally sourced building materials * Making use of the embodied energy within buildings wherever possible and re-using materials where proposals involve demolition or redevelopment. | All materials are Green Guide D – A+ Rated. No mention of recycled content or local sourcing. Materials suppliers’ certificates will be provided to prove the building materials have come from a legal source with a responsible chain of custody and key process. |
| **Pollution** | Reducing waste and pollution and making adequate provision for the  recycling of waste | * All insulating materials used will have a global warming potential of less than 5. * Installed boilers will have a dry NOx level of less than 32mg/kWh. |
| **Water** | A limit of 110 litres/person/day | The document provided states:   * Private: 125 litres/person/day * Social / Affordable: 105 litres/ person/ day |

**Conclusion**

The document provided to clear this reserve matters condition is not compliant with the policy in its entirety. This is specific to the following:

1. The energy calculations provided take a blended reduction of 19% across the 207 units within the application. The policy requires that the ‘*dwellings hereby approved shall be constructed to be 19% more efficient than required by building regulations (2013 Part L)’.* as the energy strategy takes a blended approach to achieving this 19% reduction and therefore **it is in non-compliance with the policy**.
2. The Local Plan document sets out a requirement for a limit of 110 litres/person/day. The energy strategy document provided states that the design consumption for the application will be:

* Private: 125 litres/person/day
* Social / Affordable: 105 litres/ person/ day

**This is not compliant with the policy.**