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| **Title:**  | **Planning Application:**  |
| **Request Date:**  | 27 February 2019 |
| **Due:**  | 5 April 2019 |
| **Issued:**  | 4 April 2019 |
| **Name of Cherwell Employee Requesting:** | Caroline FordPrincipal Planning Officer – Major Projects Planning TeamT: 01295 221823E: caroline.ford@cherwellandsouthnorthants.gov.uk  |
| **Details of Request:**  | Assessment for compliance discharge conditions  |
| **Actions:**  | See comments below  |

**Planning application:**

This application relates to the discharge of condition 11 of the development of the Bicester Eco Town Exemplar Phase (application number 10/01780/HYBRID), consented on 10 July 2012.

Condition 11 seeks the development of a number of plots on the site to include passive ventilation and thermal massing of floors in order to reduce heat gain and loss. The hybrid application (approved subject to conditions) is for the:

*Development of Exemplar phase of NW Bicester Eco Town to secure full planning permission for 393 residential units and an energy centre (up to 400 square metres), means of access, car parking, landscape, amenity space and service infrastructure and outline permission for a nursery of up to 350 square metres (use class D2), a community centre of up to 350 square metres (sui generis), 3 retail units of up to 770 square metres (including but not exclusively a convenience store, a post office and a pharmacy (use class A1)), an Eco-Business Centre of up to 1,800 square metres (use class B1), office accommodation of up to 1,100 square metres (use class B1), an Eco-Pub of up to 190 square metres (use class A4), and a primary school site measuring up to 1.34 hectares with access and layout to be determined*.

Condition 11 states that:

*Plots 2, 30, 113, 114, 115, 126, 127, 128, 129, 130, 131, 172, 173, 174, 226, 227, 281, 282, 283 and 313 the house designs shall be constructed with passive ventilation and thermally massive floors to reduce heat gain and loss as set out in the Design and Access Statement accompanying the application, in accordance with details that have first been agreed in writing by the Local Planning Authority.*

*Reason: To test the delivery of innovative energy efficient houses as supported by Planning Policy Statement 1: Eco Towns*

**Assessment**

The condition discharge application documents were reviewed and considered against the information submitted with the planning and condition discharge applications.

The documents reviewed include:

* Design & Access Statement
* Sustainability Statement
* Sustainable Energy Strategy
* Sustainable Energy Strategy feedback document
* Application drawings and technology specifications
* Windhive and how it works

Additional documents supplied on request include:

* Drawing showing ventive plot locations
* Passive ventilation with heat recovery

A description of how the proposed technology will work was also provided.

**Conclusion and recommendations**

It is assumed that compliance with the relevant ESD and other policies was assessed at the application stage and, therefore, a full assessment has not been undertaken. The key consideration is that the proposed solution for these plots meets the zero carbon requirements set out in Cherwell District Council’s Local Plan.

The plot drawing shows a number of plots in green which are the ones to have the passive ventilation with heat recovery (PVHR) system fitted, together with a list of the specific plots. The list does not fully correlate to the list of plots set out in the condition. Specifically, the following plots listed in the condition **are not included**: 2, 124, 281, 283, 313. Two different plots are listed (126 and 195) in addition to the remaining (correct) plots.

In terms of energy requirements, the proposed PVHR system has no mechanical parts and therefore does not use any energy and, as such, complies with the contribution to zero carbon requirement.

The Design and Access Statement submitted with the planning application includes limited information on energy requirements and how zero carbon will be achieved; however, the Sustainable Energy Strategy goes into further detail. The sample SAP calculations included whole-house mechanical ventilation systems as part of the Be Lean, Be Clean, Be Green energy hierarchy, which will have some energy demand requirements. In contrast, the proposed PVHR does not have an energy requirement for operation and is therefore an improvement on the original proposals.

The condition also states that the purpose of including a PVHR system is to test innovative energy efficiency systems for residences and to that end **we would like to see some monitoring data over time** to determine to what extent this is being achieved.

We note that to ensure the thermally massive floor technology works effectively it will be specified that no soft floor coverings are used. It is not clear how this be enforced, particularly for those plots that are to be sold. What, if any, mechanisms are to be put into place for this and what measures can and would be taken in the event that these recommendations are not followed?

On the basis that there is limited information in the Design and Access Statement, the proposals do comply with the requirements of the condition. However, the incorrect plot numbers do not and on this basis the **condition** **cannot be discharged until these are amended**. We would also like to see any information on the enforceability of the ‘no soft floor coverings’ specification. Furthermore, to meet the testing reasoning behind this condition, we would like to understand what monitoring is proposed to achieve this.