



**REPORT of
CHIEF EXECUTIVE**

to
**PLANNING AND LICENSING COMMITTEE
16 NOVEMBER 2017**

**DRAFT MALDON DISTRICT RENEWABLE AND LOW CARBON
TECHNOLOGIES SUPPLEMENTARY PLANNING DOCUMENT AND PROPOSED
PUBLIC CONSULTATION**

1. PURPOSE OF THE REPORT

- 1.1 To seek the Committee's approval for the Draft Maldon District Renewable and Low Carbon Technologies Supplementary Planning Document (SPD) (**APPENDIX A**) to go out to public consultation.

2. RECOMMENDATION

That the draft Maldon District Renewable and Low Carbon Technologies Supplementary Planning Document (SPD) be approved for public consultation.

3. SUMMARY OF KEY ISSUES

- 3.1 The Approved Local Development Plan 2014-2029 (LDP) will guide the development and use of land in the District. The draft SPD has been prepared to provide additional detailed guidance on several LDP policies:
- D2: Climate Change and Environmental Impact of New Development: seeks to ensure new development is sustainable, maximises the use of sustainable construction techniques and materials and seeks to prevent and mitigate against adverse environmental impacts and climate change, irrespective of the size of development;
 - D4: Renewable and Low Carbon Energy Generation: seeks to encourage the use of low carbon technologies and renewable energy projects, protect the natural and built environment, and amenity of residents, individually and cumulatively in an acceptable manner; and
 - Policy S1: identifies the principles of sustainable development, which provides the overarching theme to this draft SPD.
- 3.2 Once adopted by the Council, the Renewable and Low Carbon Technologies Supplementary Planning Document will become a material consideration in making decisions on planning applications.

3.3 The SPD will also elaborate on relevant national policy as well as other relevant local guidance including the ‘made’ Burnham-on-Crouch Neighbourhood Plan and the Maldon District Design Guide.

3.4 The draft SPD provides a range of technical guidance for residents, community groups, developers and others with an interest in development in the District. Three key elements are:

3.4.1 Sustainable Building Standards

3.4.1.1 Policy D2 requires that all non-residential development should achieve a minimum of Building Research Establishment Environmental Assessment Method (BREEAM) ‘Very Good’ rating or be supported by a bespoke assessment that demonstrates appropriate environmental performance results above current Building Regulation requirements. The SPD provides further guidance relating to the BREEAM process, the assessments that will be required and the types of design issues that developers should consider in order to achieve the ‘Very Good’ rating.

3.4.1.2 Building Regulations are used to address the environmental performance of residential development. However, the SPD provides useful information for those developers intending to go above Building Regulations requirements: The SPD focuses on BREEAM, Passivhaus and WELL Building Standards which are able to deliver homes that achieve a higher standard of space heating and cooling.

3.4.2 Implementing Renewable Energy and Low Carbon Technologies

3.4.2.1 The LDP does not identify any suitable locations for wind turbines because there is little opportunity available for further large-scale wind farm schemes within the District. This means that the focus of the SPD is to encourage the uptake of domestic and small-scale technology schemes through individual and community-led development. However, should a larger scale proposal come forward for example, for a solar farm, this SPD would provide the guidance which developers would be expected to consider as part of the application process.

3.4.2.2 The SPD provides technical guidance for a wide range of technologies: small-scale wind power; solar photovoltaics; solar thermal; biomass and energy crops; small hydro; combined heat and power, and ground and air source heating and cooling. These technologies are those most likely to be suitable within the District.

3.4.2.3 Policy D4 sets out the key issues that must be considered, individually or cumulatively when proposing a renewable energy or low carbon technology scheme. The SPD uses these as the basis for a range of technical guidance, and include for each of these technologies: the availability of each resource, potential visual and landscape issues, environmental and green infrastructure considerations, potential cultural and heritage impacts, aviation and operational issues and decommissioning and site restoration requirements. The availability of this guidance will help safeguard the character and appearance of the District and will help ensure applicants make an informed choice about the technologies available, their efficiencies and cost effectiveness and their suitability to address different needs. For example, a business in a built-up area may benefit from using a particular type of technology, whereas a resident in the countryside may have different requirements and needs. In both cases

different limitations may exist which the SPD helps highlight. The technical guidance is also to be used as a tool for decision makers when assessing the suitability of proposals.

3.4.3 Community Ownership Schemes

3.4.3.1 The NPPF (2012) states that Local Planning Authorities should recognise the responsibility on all communities to contribute to energy generation from renewable and low carbon sources, and support community-led initiatives for renewable and low carbon energy sources. Policy D4 identifies the importance of community-led planning in renewable and low carbon technology developments, as it provides local communities with the opportunity to benefit from development schemes in a way that suits their specific needs. Community-led planning can tackle challenging barriers around energy developments including adverse social, economic and environmental impacts. Local knowledge and common goals can often bring communities together with aspirations to deliver a more sustainable community whilst tackling issues such as fuel poverty amongst vulnerable people. The SPD provides useful information in regard to Community ownership: community projects and initiatives for, reducing energy consumption, managing energy more efficiently, generating energy and securing energy through purchasing. The SPD also identifies the routes to implementing such schemes into the community.

3.4.3.2 The main users of the Renewable and Low Carbon Technologies Supplementary Planning Document will be:

- Applicants and developers when preparing their development schemes;
- Planning officers to assess the suitability of development proposals when determining applications and offering pre-application advice; and
- Members when assessing development proposals.

3.4.3.3 The draft SPD has been distributed to the relevant Council departments and has incorporated the views and expertise of Maldon District Council (MDC) Officers to ensure a coordinated and collaborative approach to its production. All comments and opinions have been incorporated into the document, making it a more rounded and concise planning tool, specific to the issues and priorities of the Maldon District.

3.4.3.4 A Strategic Environmental Assessment (SEA) Screening report has been produced and submitted for consultation to the statutory bodies; Historic England; Natural England; and the Environmental Agency. Their conclusion is that a full SEA is not required for the SPD. All comments and recommendations contained within their screening statements have been noted and the document amended accordingly.

3.4.4 Stakeholder and public consultation

3.4.4.1 This document will be available for consultation for six weeks starting in January 2018 from the week commencing the 8 January 2018, following approval by this Committee. The consultations will involve all relevant stakeholders and statutory consultees by web-based consultation. The SPD and associated documents will be available at the Council offices and libraries within the District during the consultation period. Responses can be submitted via the Council's website, by email or by post.

3.4.4.2 Following the consultation all comments received will be considered and any changes made to the SPD where appropriate. The intention is to report the outcome of the consultation to this Committee in early Spring 2018, so that the Council will be able to adopt the SPD by Spring 2018.

4. CONCLUSION

4.1 The draft Maldon District Renewable and Low Carbon Technologies Supplementary Planning Document provides further detailed technical guidance to support LDP Policies S1, D2 and D4. It sets out the issues applicants will need to consider when considering proposals for renewable and low carbon technology development schemes in the District and for the use of sustainable building standards in residential and non-residential development. The document aims to protect and enhance the character and appearance of the District and promote sustainable, cost effective and efficient development that benefits the environment and the community as well. Stakeholder and public consultation, lasting six weeks, will ensure the Council's proposals are robust and credible, giving weight to the final SPD.

5. IMPACT ON CORPORATE GOALS

5.1 The draft Renewable and Low Carbon Technologies SPD will have a positive impact on the corporate goals of protecting and shaping the District.

6. IMPLICATIONS

- (i) **Impact on Customers** – Planning applications for all renewable and low carbon technology development proposals will be determined in accordance with the Approved LDP. As a Supplementary Planning Document, the guidance should help to increase the number of consented renewable and low carbon technology schemes approved as suitable development.
- (ii) **Impact on Equalities** – The SPD will inform suitable renewable and low carbon technology developments within the District and will help create sustainable communities. The impacts on equality, as reflected in the Equalities Impact Assessment, are largely positive or worst case, neutral.
- (iii) **Impact on Risk** – The draft SPD has been prepared in accordance with the Approved Local Development Plan, lessening the risk of unsuitable and unsustainable developments within the District. It will provide greater certainty to the Council, developers and local residence of what is suitable development within the District.
- (iv) **Impact on Resources (financial)** – The costs related to the public consultation will be met through the community engagement resource for the LDP.
- (v) **Impact on the Environment** – The SPD encourages the uptake of renewable and low carbon technologies within the District in a sustainable manner. The document outlines the conditions that must be met for suitable development

schemes to be deployed within the District, to ensure that proposals minimise their impact on the environment and help reduce the impacts of climate change. A SEA Screening Report has been undertaken: this shows that the SPD is expected to generate no significant effects on the environment.

Background Papers:

Approved Maldon District Local Development Plan (2014-2029)

‘Made’ Burnham-on-Crouch Neighbourhood Plan

Maldon District Design Guide

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