



WHITE PEAK Planning

Matter 14 Hearing Statement: The District's Natural Environment: Policy LPP 77 Renewable Energy Within New Developments

Braintree Local Plan Examination

On behalf of The Great Notley East Consortium

June 2021

Ref: 2018.010

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The Great Notley East Consortium

Braintree Local Plan Examination

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Authorised for and on behalf of White Peak Planning Ltd.

A handwritten signature in black ink, appearing to read 'Rob White', written over a light blue horizontal line.

**Rob White
Director**

This report takes into account the particular instructions and requirements of our client. It is not intended for and should not be relied upon by any third party. Any such party relies on this report at their own risk.



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1.0 Introduction

1.1 Background

- 1.1.1 The Land East of Great Notley, south of Braintree Strategic Growth Location (SGL) is identified for residential-led development in Policy LPP 18 of the emerging Braintree Local Plan (2013-2033) Section 2.
- 1.1.2 The Great Notley East Consortium controls 84ha of the 114ha Strategic Growth Location and is currently preparing an outline planning application for residential-led development.
- 1.1.3 Members of The Great Notley East Consortium have actively participated in the preparation of the Braintree Local Plan for a number of years. Representations were submitted in July 2017 to Policy LPP 77 of the Publication Draft Local Plan – Section 2 by Braintree South Alliance (ref: 451873, comment ID: 548).
- 1.1.4 This Hearing Statement provides an updated response from the current members of the Consortium to the proposed wording of Policy LPP 77 and the questions posed by the Inspector under Matter 14.

2.0 Responses to Inspector's Questions

2.1 How have the thresholds identified been arrived at and is the policy supported by appropriate evidence?

2.1.1 The Consortium considers that this question is best answered by Braintree District Council and has no further comments.

2.2 Is the policy consistent with national policy?

2.2.1 The Consortium does not consider that Policy LPP 77 is consistent with national policy as it only refers to the use of renewable energy technology and does not include for the use of low carbon energy sources, such as air source heat pumps and mechanical ventilation with heat recovery (MVHR).

2.2.2 In order to make the policy sound, we recommend the following wording is adopted:

'All planning applications shall include renewable and/or low carbon energy sources to provide at least 20% of the projected energy requirements of major developments, and 10% of minor developments, unless viability evidence demonstrates otherwise.'

'Developments may consider a contribution in lieu of renewable and low carbon energy installation to be used as seedcorn funding for other community renewable and low carbon energy projects.'

2.2.3 Our justification for the proposed wording is set out below and this refers to the following:

1. The Planning and Energy Act 2008 (as amended)
2. The National Planning Policy Framework (March 2012)

Planning and Energy Act 2008

2.2.4 The Planning and Energy Act 2008 (as amended) states in Section 1(1) that:

'A local planning authority in England may in their development plan documents, a strategic planning panel may in their strategic development plan, and a local planning authority in Wales may in their local development plan, include policies imposing reasonable requirements for -

- (a) a proportion of energy used in development in their area to be energy from renewable sources in the locality of the development;*
- (b) a proportion of energy used in development in their area to be low carbon energy from sources in the locality of the development;'*

2.2.5 The Planning and Energy Act 2008 allows LPAs to impose reasonable requirements for both renewable and low carbon energy sources and therefore, the alternative wording proposed would be consistent with this.

National Planning Policy Framework (NPPF) 2012

2.2.6 Paragraph 97 of the 2012 NPPF states:

'To help increase the use and supply of renewable and low carbon energy, local planning authorities should recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources. They should:

- have a positive strategy to promote energy from renewable and low carbon sources;*
- design their policies to maximise renewable and low carbon energy development while ensuring that adverse impacts are addressed satisfactorily, including cumulative landscape and visual impacts;*
- consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure the development of such sources;*
- support community-led initiatives for renewable and low carbon energy, including developments outside such areas being taken forward through neighbourhood planning; and*
- identify opportunities where development can draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers.'*

2.2.7 Paragraph 97 of the 2012 NPPF refers to 'renewable and low carbon energy' throughout rather than just renewable energy. This is acknowledged in paragraph 8.61 of the Local Plan.

2.2.8 Therefore, in order to be consistent with the NPPF, Policy LPP 77 should also allow for the use of low carbon energy sources, as proposed in our alternative wording.