

Joint Core Strategy Proposed submission Document

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11432 Object

CHAPTER 5 Policy 3: Energy and water

Respondent: Serruys Property Company Ltd [8577]

Agent: Lanpro (Mr Philip Atkinson) [7507]

Full Text:

Summary:

My client considers that the requirement for major development proposals (defined as that exceeding 500 dwellings or 50,000 sq.m for non-residential floor space) to secure 100% of their energy requirements from linked renewable sources as overly onerous, likely unlawful and not in compliance with Government guidance. To support this view my client would direct the GNDP to Appendix C of the Renewable Energy Capacity in Regional Spatial Strategies Final Report that was published by the DCLG in July 2009. Policy ENG1 of this document entitled Carbon Dioxide Emissions and Energy Performance is specific to the East of England and states 'To meet regional and national targets for reducing climate change emissions, new development should be located and designed to optimise its carbon performance. Local authorities should: - Encourage the supply of energy from decentralised, renewable and low carbon sources and through Development Plan Documents set ambitious but viable proportions of energy supply of new development to be secured from such sources and the development thresholds to which such targets should apply. In the interim, before targets are set in Development Plan Documents, new development of more than 10 dwellings or 1,000 sq.m of non-residential floor space should secure at least 10% of their energy from decentralised and renewable or low carbon sources, unless this is not feasible or viable ...' My client is committed to maximising the use of renewable or low carbon energy sources where feasible, affordable and importantly viable within the redeveloped Deal Ground and May Gurney sites. My client is however seriously concerned that the planning requirement to contractually link energy producing and consuming sites in separate ownerships to the financial benefit of one owner and the detriment of another through the planning process is unlawful. The approach proposed under the emerging Policy fails to accord with Government guidance as it is inflexible, denies freedom of choice for both end users and the developer and places an unfair financial burden on developer and end user that cannot be justified. As such having regard to all the above the emerging Policy fails the key tests of soundness outlined in Government guidance.