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Policy CC1: Net zero Development Standards - New Build

1 All development proposals should embed the Energy Hierarchy within their design from the outset and consider opportunities to provide solar PV and battery storage.

2 Development must utilise the landform, layout, building orientation, massing and landscaping to minimise energy consumption and maximise energy efficiency measures.

Residential development

3 All residential development will achieve the following building performance standards for operational energy use and carbon emissions:

a) A Total Energy Use Intensity (TEUI) of less than, or equal to, 35kWh/m²/year;

b) A maximum space heating demand of 15kWh/m²per year; and.

c) All residential development is required to achieve the LETI best practice 2020 target for embodied emissions, equating to 500 kgCO²/m² upfront embodied carbon. This requirement will increase from 2030 to the LETI best practice 2030 target for embodied emissions, equating to 300 kgCO²/m² upfront embodied carbon.

4 For all planning applications for residential development, applicants are required to:

a) Demonstrate how the building performance standards will be met using the energy hierarchy in the design, construction, and operational phases. This includes connecting with district heat networks, where possible/available, the installation of renewable energy technologies and the installation of low carbon technologies such as air and ground source heat pumps.

b) Clearly demonstrate that where financial viability, technical constraints (e.g. overshadowing) or other policy reasons (e.g. heritage) mean the building performance targets cannot be met, set out why they cannot be met and the degree to which they are proposed to be met.

c) Detail how any requirements for carbon offsetting are to be delivered, where this is demonstrated to be necessary.

Non-residential development

5 All non-residential development (including building conversions but excluding industrial units) will achieve the following building performance standards for operational emissions:

a) A Total Energy Use Intensity (TEUI) of less than, or equal to, 55kWh/m²/year. To achieve this target, it may be necessary to install rooftop and/or on-site ground solar PV systems; and

b) A maximum space heating demand of 15kWh/m2 per year.

6 For industrial units (including warehouses), applicants should clearly demonstrate the TEUI that is practicably achievable for Operational Energy through a feasibility statement. This should demonstrate that the best energy efficiency outcomes have been achieved to serve the proposal, by maximising opportunities for on-site solar PV systems and optimising building fabric performance, heating and ventilation (see also Policy CC3 Sustainable Design and Construction).

7 All non-residential development should achieve the LETI best practice 2020 target for embodied emissions, equating to 600 kgCO²/m² upfront embodied carbon. This requirement will increase from 2030 to the LETI best practice 2030 target for embodied emissions, equating to 350 kgCO²/m² upfront embodied carbon.

8 For all planning applications for non-residential development, applicants are required

a) Demonstrate how the building performance standards will be met using the energy hierarchy in the design, construction, and operational phases. This includes using excess heat productively on-site or as part of a district heat network, the installation of renewable energy technologies and the installation of low carbon technologies.

b) Clearly demonstrate that where financial viability, technical constraints (e.g. overshadowing) or other policy reasons (e.g. heritage) mean the building performance targets cannot be met, why they cannot be met and the degree to which they are proposed to be met.

c) Detail how any requirements for carbon offsetting are to be delivered, where this is demonstrated to be necessary.

All development

9 For developments of more than 10 dwellings or more than 1,000 sqm of non-residential floorspace, developers are required to demonstrate using a recognised methodology[37] the actions taken to reduce operational and embodied carbon from the land use change, construction, use of the development over its lifetime and potential decommissioning.

10 Where it can be clearly demonstrated that the building performance targets within this policy cannot be met, developments must, as a minimum, be designed and constructed to be 'carbon ready by design'.

The performance gap

11 Proposals for new buildings should demonstrate that they have been tested to ensure the buildings will perform as predicted.

Question 13

Consultation Questions

a Do you agree with draft Policy CC1 Net Zero Development Standards – New Build?

b Given the recent Ministerial Statement, how should we address net zero development standards through planning policy?

c Should we change anything? if so, what should we change and why?

d Have we missed anything? If so, what have we missed and how should it be included?

Notes and Comments

Policy CC2: Reducing Energy Consumption in Existing Buildings

1 For development proposals on land where there are existing buildings and/or structures present, applicants must demonstrate that all possible measures have been taken to retain and reuse the existing buildings before considering demolition. This should be demonstrated through the Sustainability Statement. Where demolition is demonstrated to be necessary, developments must seek to reuse materials on site wherever possible, contributing towards the circular economy.

2 For all development proposals which involve the change of use, retrofit, or redevelopment of a building, or an extension to an existing building, the applicant is encouraged to consider all opportunities to improve the energy efficiency of that building (including the original building, if it is being extended).

3 Proposals which do consider and take forward viable opportunities to utilise existing built structures as part of a scheme will, in principle and subject to other material considerations and policies in the Development Plan, be supported. In particular, residential properties which, following an extension or conversion, will achieve an improved EPC rating overall will, in principle, be supported. To gain this in principle support, a pre-development EPC should be provided as part of the application, together with evidence as to how a completed development EPC is likely to be rated.

4 For any work on a residential property, the use of the PAS 2035:2019 Specifications and Guidance (or any superseding guidance) is encouraged. In addition, applicants are encouraged to use the six principles of best practice within LETI's Climate Emergency Retrofit guidance[39].

Major development

5 Major development will be expected to achieve Excellent BREEAM Standard. Proposals for the refurbishment of 10 dwellings or more are expected to meet BREEAM Domestic Refurbishment Excellent. Where the above cannot be achieved due to economic viability the highest alternative BREEAM standard will be required to be achieved. It will be the responsibility of the applicant to demonstrate why Excellent cannot be achieved.

Question 14

Consultation Questions

a Do you agree with draft Policy CC2 Reducing Energy Consumption in Existing Buildings ?

b Do you consider there to be any other reasonable and viable measures for improving the energy efficiency of existing buildings?

c Should we change anything? if so, what should we change and why?

d Have we missed anything? If so, what have we missed and how should it be included?

Notes and Comments

Policy CC3: Sustainable Design and Construction

1 Development proposals will need to demonstrate how they have implemented the principles and requirements set out below;

a) Reuse land and buildings, wherever feasible, prioritising use of brownfield land and existing buildings.

b) Use building materials with high environmental performance ratings including high thermal performance materials for walls, floors, roofs and glazing, to minimise environmental impacts and reduce energy use.

c) Proposals should prioritise the use of locally sourced materials to minimise miles travelled and/or sustainable materials and construction techniques to minimise ecological and carbon footprints. The use of energy intensive building materials with high embodied carbon, such as concrete, should be reduced where possible.

d) Conserve natural resources including land, soil, water, energy and materials.

e) Implement measures to reduce water consumption and increase water recycling e.g. provision of water butts, greywater recycling etc.

f) Contribute to the greening of developments by incorporating green and blue infrastructure into site and building design such as green roofs and walls and using existing or creating new natural habitats where possible.

g) Use natural and permeable surfaces within developments instead of impermeable surfacing. The Council strongly encourages developments to avoid the use of artificial grass within developments.

h) Reuse and recycle materials that arise through demolition and refurbishment, including the reuse of non-contaminated excavated soil and hardcore within the site, to minimise construction waste.

i) Consider the lifecycle of the building and public spaces, including how they can be easily adapted and modified to meet changing social and economic needs and how materials can be recycled at the end of their lifetime.

2 Where possible, developments should provide any heating systems through low carbon heating technologies. Where this is not feasible, heating systems should be designed to accommodate lower flow temperatures to enable the future use of air and ground source heat pumps. Applicants will need to demonstrate their rationale for the chosen heating/cooling system.

Overheating and ventilation

3 Development proposals must reduce potential overheating and reliance on air conditioning systems and demonstrate this in accordance with the following cooling hierarchy:

a) Minimise internal heat generation through energy efficient design;

b) Reduce the amount of heat entering the building in summer through orientation, shading, albedo, fenestration, insulation, green roofs and walls and waterbodies;

c) Manage the heat within the building through exposed internal thermal mass and high ceilings;

d) Passive ventilation;

e) Mechanical ventilation; and

f) Active cooling systems.

4 Developers are encouraged to use the standards from the Chartered Institute of Building Service Engineers (CIBSE) to evaluate the potential for overheating within the scheme design and demonstrate meeting these requirements.

Accreditation schemes

5 Proposals for non-residential development should seek to achieve a BREEAM minimum 'Excellent' rating, and where possible to achieve an 'Outstanding' rating.

6 Proposals for residential development, should seek to achieve a 4 Star rating under the Home Quality Mark scheme.

7 When seeking accreditation, development proposals should focus on maximising the achievable credits under the energy use category.

Sustainability Statement

8 For development proposals of 5 (net) dwellings or more (including flats) and all non-residential development over 500sqm gross internal floorspace, developers are required to submit a sustainability statement as part of the planning application to demonstrate compliance with this policy.

Question 15

Consultation Questions

a Do you with agree draft Policy CC3: Sustainable Design and Construction?

b Should we change anything? if so, what should we change and why?

c Have we missed anything? If so, what have we missed and how should it be included?

Notes and Comment

Policy CC4: Carbon Sequestration

1 Development will be expected to protect existing carbon stores and take opportunities to provide nature-based solutions for carbon sequestration where relevant.

2 Development proposals will be supported in the context of carbon sequestration where:

a) Opportunities are taken to improve soil health and minimise disturbance to soils in order to protect soil biodiversity and carbon storage; and

b) There will be a significant net gain in nature-based carbon sequestration through habitat retention, protection, enhancement and/or creation.

3 Where development is proposed on land containing identified carbon stores, the applicant must consider the potential impacts of the development on the carbon store and seek to maximise opportunities to enhance its sequestration function. Applicants should submit a proportionate evaluation of the impacts and opportunities of the proposal on the identified carbon store as relevant, and in all cases an appropriate management plan must be submitted.

Notes and Comment

Question 16

Consultation Questions

a Do you agree with draft Policy CC3 Carbon Sequestration?

b Should we change anything? if so, what should we change and why?

c Have we missed anything? If so, what have we missed and how should it be included?

Policy CC5: Renewable and Low Carbon Energy

1 Proposals for renewable and low carbon energy-generating and distribution networks, including heat networks, will be supported in the context of sustainable development and climate change, where:

a) They will not result in significant adverse impacts on the local environment, including landscape character; the AONB; the setting of the South Downs National Park; species and habitats; amenity; agricultural land use and local heritage, that cannot be satisfactorily mitigated. This includes impacts such as noise, shadow flicker, vibration, visual impacts such as glint or glare.

b) They are supportive of land diversification and allow for the continuation of the site for some form of agricultural activity proportionate to the scale of the proposal, where the current use of the land is agricultural.

c) There are appropriate plans and a mechanism in place for the removal of the technology on cessation of generation, and restoration of the site to its original use or an acceptable alternative use.

d) They maximise the use of the available resource by deploying installations with the greatest energy output practicable, taking account of other relevant policies within the Development Plan.

e) They make use, or offer genuine potential for use, of any waste heat produced and where possible, create opportunities for co-location of energy producers with energy users, in particular heating.

2 Support will be given to community led energy schemes where evidence of community support can be demonstrated, with administrative and financial structures in place to deliver/manage the project and any income from it.

3 The Council will support district heat networks where feasible and where one exists, new development will be expected to connect to it.

4 The assessment of the impacts of proposals for renewable and low carbon energy schemes will need to be based on the best available evidence, including landscape capacity and sensitivity studies.

Energy Storage

5 There is a presumption in favour of energy storage where it meets one or more of the following:

a) It is co-located with an existing or proposed renewable energy development.

b) It can be shown that it alleviates grid constraints or contributes to meeting Wealden's renewable energy supply; and

c) It allows further renewable developments to be deployed.

Notes and Comment

Question 17

Consultation Questions

a Do you agree with draft Policy CC5: Renewable and Low Carbon Energy?

b Subject to the Council's renewable energy study, would you support the identification of areas within the district for locating solar farms? Please explain your answer.

c Should we change anything? if so, what should we change and why?

d Have we missed anything? If so, what have we missed and how should it be included?

Policy CC6: Water Efficiency

1. Applicants will be required to demonstrate, through the Sustainability Statement or the Design and Access Statement, that the development has been planned positively to minimise its impact on, and make efficient use of, water resources, taking into account the impacts of climate change.
2. Development proposals, including the retrofit / refurbishment of existing buildings, should demonstrate that water reuse and recycling and rainwater. harvesting measures have been incorporated wherever possible in order to reduce demand on mains water supply as part of an integrated approach to water management.
3. All new residential development must be designed and built to achieve the Building Regulation mains water consumption standard of 110 litres per person per day or the highest water efficiency standard that applies at the time of the planning application.
4. All proposals for non-residential development should maximise water efficiencies under the mandatory water credits category in the BREEAM Water Consumption assessment methodology.

Question 18

Consultation Questions

a Do you agree with draft Policy CC6: Water Efficiency?
b Should we change anything? if so, what should we change and why?
c Have we missed anything? If so, what have we missed and how should it be included?

Notes and Comment

Policy CC7: Managing Flood Risk

1 Development proposals will follow a sequential approach to flood risk management and will be guided to areas with the lowest risk of flooding from all sources, considering both existing and future flood risk.

2 Flood Zone 3b will be protected as the functional floodplain and its capacity to attenuate periodic flood events must not be compromised. Essential infrastructure that has passed the Exception test and water compatible uses will be permitted within Flood Zone 3b provided the development is designed and constructed to:

a) Remain operational and safe for users in times of flooding;

b) Result in no net loss of floodplain storage;

c) Not impede water flows; and

d) Not increase flood risk elsewhere.

3 Flood risk must be considered at an early stage in the design and layout of development to ensure that opportunities are maximised to reduce flood risk within the development.

4 All relevant development must demonstrate that it complies with the tests, recommendations and guidance specified by the Council's Strategic Flood Risk Assessment (SFRA), the NPPF and PPG. Proposals will need to:

a) Demonstrate that the development has been designed to be flood resilient and resistant and safe for its users for the lifetime of the development.

b) Use the latest climate change allowances for peak river flows, peak rainfall intensity and sea levels applicable to the catchment within which the development is located and the relevant epoch for the climate change allowance; and

c) Ensure that any proposals involving modifications of ground levels are fully assessed and the findings clearly set out.

5 Where required, flood mitigation must be implemented in accordance with the Council's SFRA, the NPPF and PPG. Developers must ensure that mitigation does not increase flood risk elsewhere and that floodplain compensation is provided where necessary.

6 All new development close to rivers should consider, working with partners, the opportunity to improve, enhance and restore floodplain and river environment, including opportunities to create, enhance and improve the linking of green/blue infrastructure.

7 Where possible, developments should seek to open up existing culverts to create a green/bluecorridor. New culverts will not be permitted, unless it is 1. demonstrated that the culvert is essential infrastructure and there is no viable alternative.

8 The Council will support natural flood management measures and schemes that help to reduce flood risk in the wider catchment.

Sequential and Exceptions Test

9 The development of sites at a greater risk of flooding (from any source) will only be considered where they comply with the requirements of the NPPF and associated PPG, specifically in regard to the application of the Sequential, and where required, Exceptions Tests.

10 Where schemes are located in flood risk areas, the Sequential approach must be used to ensure that the most vulnerable parts of the development site are in the areas of lowest flood risk. Developers will be expected to undertake early discussions with the Council, Environment Agency, Lead Local Flood Authority and Southern Water.

11 Where schemes are located within the Pevensey Levels catchment, developers will also be expected to undertake early discussions with the Pevensey and Cuckmere Water Level Management Board.

Question 19

Consultation Questions

a Do you agree with draft Policy CC7: Managing Flood Risk ?

b Should we change anything? if so, what should we change and why?

c Have we missed anything? If so, what have we missed and how should it be included?

Notes and Comment

Policy CC8: Sustainable Drainage

1 All development proposals should include adequate drainage provision and seek to reduce flood risk and contribute to flood alleviation.

2 Applicants must demonstrate that sustainable drainage systems (SuDS) are an integral part of the proposed development and its design unless they are demonstrated to be inappropriate.

3 Development proposals should:

a) Be designed and implemented having regard to the latest local, regional and national guidance on sustainable drainage and SuDS systems.

b) Ensure that sufficient space is provided within a site so that the SuDS can be accommodated within the layout. SuDS should be discussed with a) the LLFA early in the design process to ensure they can be fully integrated into the overall design and layout of the scheme.

c) Demonstrate that arrangements are in place for the ongoing maintenance of SuDS schemes over the lifetime of the development.

d) Be designed and implemented to be 'multi-functional' and contribute to wider Council objectives including enhancing biodiversity and Biodiversity net gain (where appropriate), recreational opportunities, landscape character and improving the green/blue infrastructure network.

e) Deliver the lesser of either the greenfield rate in terms of volume and flow; or the existing rate/volume of discharge.

f) Ensure that surface water is managed as close to its source as possible, using the following discharge hierarchy:

i. Discharge into the ground; then

ii. Discharge to a surface water body; and then

iii. Discharge to a surface water sewer, highway drain, or other drainage system.

g) Be designed and implemented to prevent surface water runoff entering the foul water drainage system.

h) Ensure adequate drainage connectivity.

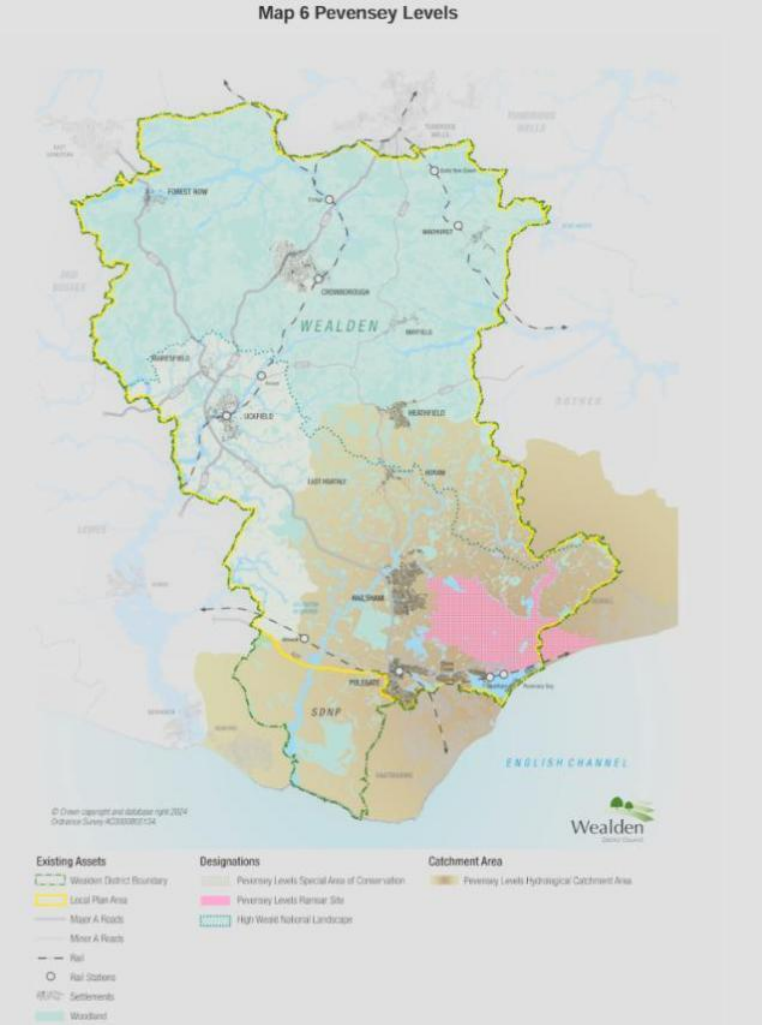
i) Provide for emergency ingress and egress.

4 For phased development, it should be demonstrated that a strategic approach to drainage provision across the entire site and incorporates adequate provision for SuDS within each phase of development will be followed.

5 All developments should demonstrate that surface water will pass through at least two treatment stages. For development in the Pevensey Levels hydrological catchment, a minimum of three stages of treatment will be required.

6 Approval from the Lead Local Flood Authority of the design and long-term maintenance of any SuDS / drainage scheme will be required prior to development commencing.

7 Any planning application, including in outline, that triggers a Habitats Regulation Assessment (HRA) will need to provide sufficient details of an appropriate surface water drainage scheme to satisfy the HRA.



Question 20

Consultation Questions

a Do you agree with the draft Policy CC8: Sustainable Drainage?
b Should we change anything? if so, what should we change and why?
c Have we missed anything? If so, what have we missed and how should it be included?

Notes and Comment

Final Thoughts