

**Consultation: Climate Emergency Development Plan Document (DPD)
Renewable Energy Policies and Broad Allocations (Regulation 18)**

Representation Form
Consultation – 14 December 2020 – to 5 February 2021

Representations can be submitted: by email to:
Climateemergencydpd@cornwall.gov.uk

By post to: Climate Emergency DPD
Cornwall Council – Planning Policy,
3B Pydar House
Pydar Street
Truro TR1 1XU

Introduction

This evidence is being shared for your comments following previous consultation periods on the proposed policies for the Climate Emergency Development Plan Document. The proposed Renewable Energy and Sustainable Energy and Construction Policies have been amended following feedback and evidence. The Landscape Sensitivity work that provides evidence to support allocations is now available.

For more information, please visit www.cornwall.gov.uk/climatechangedpd or, alternatively climateemergencydpd@cornwall.gov.uk

This form has two parts. Part A asks for your contact details and Part B asks questions for you to consider and gives you the opportunity to make comments.

Fair Processing Notice

The feedback provided will enable Cornwall Council to finalise the draft document and will be retained for the life of the plan. Full names and comments provided will be published online and in hard copy.

Part A: Your personal details

You **must** complete Part A for your representations to be accepted. The Council cannot accept anonymous representations.

By completing the Representation Form and submitting it to the Council you are giving your consent to the processing of your personal data by Cornwall Council and that any information received by the Council, including personal data (but excluding personal contact details and any signatures), may be put into the public domain, including on the Council's website. Publication will not include any information which you provide on the accompanying Equality Monitoring Form which will be retained for up to three months from the close of the consultation

1. Personal details.

Name	
Organisation	
Agency name (if Applicable)	
Address line 1	
Address line 2	
Address line 3	
Address line 4	
Postcode	
Telephone number	
Email address	
Preferred contact method	Email <input type="checkbox"/> Post <input type="checkbox"/>

Q1 Do you wish to be notified of future stages in the Climate Emergency DPD including examination and adoption?

- Yes
No

Q2 If called upon are you willing to participate in the examination of the DPD?

- Yes
No

Part B: Your Representations

We are asking for your response to the updated draft Renewable Energy and Sustainable Energy and Construction Policies for the Climate Emergency DPD. For ease these are set out below, along with specific consultation questions.

1. Do you agree that Renewable Energy e.g. electricity generated by Wind Turbines, Solar PV etc should replace fossil fuels by 2030?

- Yes
No

Proposed Policies Renewable and Low Carbon Energy

Policy RE1 - Renewable and Low Carbon Energy

1. Proposals for renewable and low carbon energy-generating and distribution networks, will be supported in the context of sustainable development and climate change, where:
 - a. they contribute to meeting Cornwall's target of 100% renewable electricity supply by 2030; and
 - b. they balance the wider environmental, social and economic benefits of renewable energy and heat generation, and distribution; and

- c. It will not result in significant adverse impacts on the local environment that cannot be satisfactorily mitigated, including cumulative landscape and visual impacts, and the special qualities of all nationally important landscapes, heritage assets including their setting which must be conserved or enhanced; and
 - d. The use allows for the continuation of the site for some form of agricultural activity proportionate to the scale of the proposal or provides for 10% biodiversity net gain; and
 - e. It provides for a community benefit in terms of profit sharing or proportion of community ownership and delivers local social and community benefits;
 - f. 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 an acceptable alternative use;
- Significant weight will be given to community led energy schemes where evidence of community support can be demonstrated as well as administrative and financial structures are in place to deliver/manage the project and any income from it.
 - Commercial led energy schemes with a capacity over 5mw shall provide an option to communities to own at least 5% of the scheme.

In addition, the following criteria will be used to assess each of the specific generation types:

2. Wind energy development proposals will be permitted where they:
 1. Are located in a 'suitable area' identified on the Policies Map or are for the repowering of an existing wind turbine/farm; and
 2. Demonstrate that, following consultation, the planning impacts identified by the affected local community have been fully addressed by the proposal; and
3. Solar energy development proposals, including both building mounted and standalone ground mounted installations and extensions or repowering of solar installations will be supported where they are focussed on previously developed land and away from best and most versatile land.
4. Hydroelectricity development proposals will be supported as part of the transition to a low carbon economy where they do not have significant adverse impacts on the water regime, landscape and nature conservation.
5. Deep geothermal and mine water energy development proposals will be supported as part of the transition to a low carbon economy where:
 - a. Heritage or historic landscape issues are adequately addressed;

- b. Water quality
 - c. Minimisation of the visual impact of buildings and equipment.
6. Energy storage: There is a presumption in favour of energy storage where:
- a. it is co-located with an existing or proposed renewable energy development;
 - b. it can be shown that it alleviates grid constraints;
 - c. it allows further renewable developments to be deployed,
7. Infrastructure to support offshore renewable energy
Associated land-based infrastructure to support offshore renewable energy schemes will be supported.

Policy RE2 - Safeguarding strategic renewable energy sites

Planning permission for non-renewable energy proposals within areas identified on the Policy Map as being potentially suitable for renewable energy will only be granted where it can be demonstrated that the proposal would:

1. Not introduce adverse impacts within close proximity or interfere with the operation of any installed or planned renewable energy installation and enabling infrastructure; or
2. is a temporary use that will be re-located or removed prior to the renewable energy proposal commencing; and
3. Support energy needs for a specified and limited temporary period of time and as low carbon as possible.

Please answer the following consultation questions

1. Do Policies RE1 and RE2 pick up the right issues for renewables?

- Yes
- No

2. Do you have specific comments to make about the content or intentions of policy RE1?

3. Do you have specific comments to make about the content or intentions of policy RE2?

Broad Areas Suitable for wind energy Mapping

1. National Planning Guidance says that we must identify areas that are suitable for wind generation if we are to permit new turbines – should Cornwall do this?

Yes

No

2. The mapping in table 2.1 in the Constraints and Opportunities Mapping for Large Scale Renewables sets out a number of constraints (such as the distance between homes and turbines that should be taken into account in setting areas – do you support the measures used?

Yes

No

3. If you answered yes Let us know here what other measures should be used?

4. The mapping in the Renewable Energy Landscape Study shows areas that may be broadly suitable for wind generation - Is there anything missing from the maps and/or the local area reports?

Yes

No

5. Do you have any further comments on identifying sites for wind energy?

Proposed Policy Sustainable Energy and Construction

The 'energy hierarchy' says that as well as using greener energy sources, we should first think about how to reduce energy use through measures such as positioning buildings to maximise natural warming from the sun (solar gain), maximising insulation, installing low energy lighting and appliances for example. Following the energy hierarchy approach will not only reduce carbon emissions, but also mean lower energy costs for the occupier and thus help to tackle fuel poverty. Policy SEC1 has been developed to help achieve these aims.

Policy SEC1 – Sustainable Energy and Construction

Please note, this policy remains subject to considerable change and uncertainty relating to anticipated changes in building regulations. We await feedback from the government on the consultation on the Future Homes Standard and proposed uplift to Building Regulations, which was expected in Autumn 2020. This includes confirmation on whether Local Authorities will be allowed to continue to set their own energy efficiency standards or whether this will be stopped in favour of national consistency (Deregulation Act). In the absence of any clarity on this issue, we have continued to develop options for our own, more ambitious standards.

Some significant policy amendments have been necessary to Policy SEC1 as the DPD has evolved. In particular, following feedback from businesses, the results of our viability study and through discussions with the South West Energy Hub which all indicated that the requirements in part 2 of the policy would not be viable for most types of non-residential development. Our consultants have suggested that BREEAM 'Excellent' would not have a significant impact on viability, so we have modified our policy approach accordingly.

Amendments have also been made to highlight solar PV as our preferred renewable energy solution to reflect consultation response and member support for solar.

Work has been commissioned from consultants Etude to determine the best way of measuring energy efficiency – this is likely to be a figure based on kwh/m² rather than a % reduction on building regulations, as currently set out at 2b(i). This is in response to lessons learned by other Local Authorities and in line with emerging best practice. As part of this work, Etude will also be suggesting a 2nd more ambitious policy option based on their research which would be an untested policy approach but would definitely 'push boundaries'. Once the information is available and has been viability tested, this will allow us to consider which should be the preferred policy approach.

Following the last round of consultation, we have also amalgamated the former policy SC2 (Natural Carbon Storage) into part 2b(iii) of policy SEC1, as this seems like a natural fit and simplifies the DPD.

Finally, consultation feedback has been to make support for retrofitting historic buildings stronger in favour of carbon reduction measures. We have reviewed the policy text and discussed with our historic environment and world heritage colleagues and, due to our statutory duty to protect and enhance heritage assets, we are unable to be any more ambitious with this issue.

Policy SEC1 – Sustainable Energy and Construction

Development proposals will be required to demonstrate how they have implemented the principles and requirements set out in the policy below.

1 The Energy Hierarchy

All proposals should embed the Energy Hierarchy within the design of buildings by prioritising fabric first, orientation and landscaping in order to minimise energy demand for heating, lighting and cooling. All proposals should consider opportunities to provide solar PV and energy storage.

2a New Development – Non-Residential

Development proposals for non-residential development of 1,000m² or more should demonstrate how they achieve BREEAM ‘Excellent’.

2b - New Development – Residential

Development proposals for more than 10 dwellings will be required to submit an ‘Energy and Carbon Statement’ that demonstrates how the proposal will:

- i. Achieve at least a 19% carbon reduction improvement upon the requirements within Building Regulations Approved Document Part L (or achieve any higher standard than this that is required under new national planning policy or Building Regulations) based on energy efficiency measures; and
- ii. Provide on-site renewable energy generation, consisting of solar PV for each unit or a connection to a renewable or low carbon community energy scheme, that contributes to at least a further 20% reduction in the residual carbon emissions subsequent to 1) above;
- iii. Minimise any loss in natural carbon storage and show the difference between the carbon storage capacities of the pre and post development habitat on the site using a Carbon Storage Calculation.
- iv. Provide onsite natural carbon offsetting and/or make financial contributions to enable all residual carbon emissions and natural storage loss subsequent to 1), 2) and 3) above to be offset by natural climate schemes within the Local Nature Recovery Network or through suitable carbon reduction technology within Cornwall.

3 Energy Networks

Developments will be required to connect to existing district energy networks in the locality or, where there is a future network planned, to be designed to be capable of connection to that network.

All major development proposals should seek to integrate low carbon energy and decentralised energy networks into the proposal. Proposals for development of more than 100 dwellings or non-residential development of over 1,000m² should take opportunities to integrate community energy networks in the development, taking into account the site's characteristics and the existing cooling, heat and power demands on adjacent sites unless this is demonstrated not to be feasible. Where appropriate, proportionate contributions will be sought to enable a network to be established or completed.

Opportunities for co-location of energy producers with energy users, in particular heat will be supported.

4 Existing Buildings

Significant weight will be given to the benefits of development resulting in considerable improvements to the energy efficiency and reduction in carbon emissions in existing buildings.

Proposals that help to increase resilience to climate change and secure a sustainable future for historic buildings and other designated and non-designated heritage assets will be supported where they:

- conserve (and where appropriate enhance/better reveal) the design, character, appearance and historical significance of the building; or
- facilitate their sensitive re-use where they have fallen into a state of disrepair or dereliction (subject to such a re-use being appropriate to the specific heritage asset).

5 Domestic and Non-Residential Renewables

The Council will support domestic and non-residential renewables such as solar panels (including ground mounted) where they require planning permission. Proposals should seek to minimise visual impact and not impact upon the appearance of the building when viewed from the public realm.

Where fixed to a listed building, proposals must ensure that: technology will not cause significant harm to the appearance and special historic character of the building; require minimal intervention with the fabric of the building; and shall be easily reversible.

6 Water

All dwellings (including conversions, reversions and change of use) should aim to achieve an estimated water consumption of no more than 110 litres/ person/day through the incorporation of water saving measures where feasible.

Development proposals for 50 or more dwellings and non-residential development with a floor space of 1,000 m² or more should incorporate water reuse and recycling and rainwater harvesting measures.

7 Materials and Waste

All development proposals should minimise use of materials and creation of waste through:

- i. Prioritising the use of previously developed land and buildings, whilst maintaining and enhancing local character and distinctiveness;
- ii. Reuse and recycling of appropriate materials that arise through demolition and refurbishment, including the reuse of non-contaminated excavated soil and hardcore within the site;
- iii. Prioritise the use of locally sourced and/or sustainable materials and construction techniques that have smaller ecological and carbon footprints;
- iv. Using locally distinctive, resilient, low maintenance materials that are appropriate for Cornwall's damp maritime climate, for example locally won materials such as slate and granite (particularly for areas that will be harder to maintain once the building is occupied) as described in the Cornwall Design Guide;
- v. Considering the lifecycle of the development and surrounding area, including how they can be adapted to meet changing community needs and how materials can be recycled at the end of their lifetime;
- vi. Providing adequate space to enable and encourage greater levels of recycling across residential and non-residential developments. Space requirements for residential developments should follow those outlined in the Cornwall Design Guide.

1. Does Policy SEC1 pick up the right issues for sustainable energy and Construction?

Yes

No

2. Is there anything we have missed or that should be added?

3. We have been developing options for further improving energy efficiency in new buildings. We are proposing to replace part 2 (i) of the current proposed policy objective of securing a percentage increase over current building regulations (this is itself subject to possible change by Government) with a set limit for energy use per square metre which we think would be clearer to understand and easier to demonstrate. Do you agree with this approach?

Yes

No

Don't know

4. If you answered no to the above, please explain why:

5. There are precedents for an increase over building regulations, but they won't take us to zero carbon – Do you support further, more ambitious measures to help us get to net zero faster even if there is a risk of going beyond where we are comfortable in policy terms?

Yes

No

6. If you answered yes above, tell us what you think these should be:

7. We're proposing to levy a charge on carbon offsetting to help new buildings get closer to net zero before the Future Homes Standard is brought into place. This will be used to help fund environmental projects that reduce carbon emissions. In developing this approach, we are writing guidance on community benefits do you have any views on what this should include?

Yes

No

8. Here are some suggestions of how the funding could be used. Please number in your order of preference (1 being favourite and 5 being least favourite)

Community energy projects

Local/community nature improvements

Energy efficiency and renewable energy improvements targeted at social housing and people in fuel poverty

Forest for Cornwall or other tree planting opportunities

Other Cornwall wide nature improvements

9. Any other suggestions?

10. Any further comments?

Please ensure your response reaches us by 5pm on Friday 5th February 2021

By email to: climateemergencydpd@cornwall.gov.uk

By post to:
Climate Emergency DPD
Cornwall Council – Planning Policy,
3B Pydar House
Pydar Street
Truro TR1 1XU

Cornwall Council is committed to ensuring that our services, policies and practices are free from discrimination and prejudice and that they meet the needs of all the community.

If you are responding to this consultation as an individual, we would be grateful if you would answer the questions below. Thank you for your assistance. You are under no obligation to provide the information requested, but it would help us greatly if you do.

The information you provide will be treated in the strictest of confidence and will be processed in accordance with the requirements of the Data Protection Act 2018, will not be passed onto any third party, and will only be used for the purpose of equality monitoring. All personal information held by Cornwall Council is held safely in a secure environment.

Please tell us about yourself in the following questions.

What is your postcode: _____

Please give your age:

- 19 and under
 20-29
 30-39
 40-49

- 50-59
 60-69
 70+

How would you describe your sex?

- Male Female Other

How do you describe your ethnic origin? (Please read carefully before selecting the ethnic group that you feel most closely reflects your background).

- Asian or Asian British Mixed (e.g. White and Asian)
 Black or Black British Other, ethnic group
 Cornish White (e.g. British, Scottish)

Do you consider yourself to be disabled?

- Yes No

Thank you! / Meur ras!