

Filtered Data Export

Full name: Rob Martin

Organisation (where relevant): Clyst Honiton Parish Council

Other party name (if relevant): -

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Paragraph

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: 6.1

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: Yes

3(a). If yes, and you wish to support the soundness of this part of the Mitigating Climate Change chapter, please use this box to set out your comments.: The policies contained in this chapter are very welcome and to a great extent reflect those within the Clyst Honiton Neighborhood Plan, but they need to be enforced.

Full name: -

Organisation (where relevant): -

Other party name (if relevant): -

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Paragraph

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: 6.1

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Tetlow Planning as an agent on behalf of the South West Housing Association Planning Consortium (SWHAPC)

The Housing Associations of the SWHAPC recognise the critical role that they play in ensuring that residents have safe, secure and efficient homes that are future proof. Promoting sustainable development is the core objective of the plan system and it is important that all new developments continue to support this aim. This was emphasised in the Written Ministerial Statement on energy efficiency and environmental standards from December 2023. However, we urge the Council to carefully consider how these policies might affect the viability of development, as they could potentially limit the availability of affordable housing in East Devon. Climate change policies should be carefully considered against Building Regulations and the Future Homes Standard 2025 to avoid duplication and any potential inconsistencies.

Full name: -

Organisation (where relevant): -

Other party name (if relevant): -

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:

Paragraph

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: 6.1

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: The Housing Associations of the SWHAPC recognise the critical role that they play in ensuring that residents have safe, secure and efficient homes that are future proof. Promoting sustainable development is the core objective of the plan system and it is important that all new developments continue to support this aim. This was emphasised in the Written Ministerial Statement on energy efficiency and environmental standards from December 2023. However, we urge the Council to carefully consider how these policies might affect the viability of development, as they could potentially limit the availability of affordable housing in East Devon. Climate change policies should be carefully considered against Building Regulations and the Future Homes Standard 2025 to avoid duplication and any potential inconsistencies.

Full name: Richard John Eley

Organisation (where relevant): -

Other party name (if relevant): -

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: 6.1

2. Do you consider that this part of the Mitigating Climate Change chapter is legally compliant?: Yes

2(a). If yes, and you wish to support the legal compliance of this part of the Mitigating Climate Change chapter, please use this box to set out your comments.: The Chapter is clearly legally compliant and quite well written. It is a measured document, and addresses the climate emergency. My only adverse comment is that the Chapter deals with 'saving the planet' rather than more local considerations. But other sections will no doubt address this concern.

2(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not legally compliant. Please be as precise as possible. : -

2(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: -

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: Yes

3(a). If yes, and you wish to support the soundness of this part of the Mitigating Climate Change chapter, please use this box to set out your comments.: See above.

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: -

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: -

4. Do you consider that this part of the Mitigating Climate Change chapter complies with the duty to cooperate?: Yes

4(a). If yes, and you wish to support this part of the Mitigating Climate Change chapter's compliance with the duty to co-operate, please use this box to set out your comments.:
See above.

4(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter fails to comply with the duty to co-operate. Please be as precise as possible.: -

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: -

Full name: Martin Thurgood

Other party name (if relevant): -

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:

Paragraph

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: 6.4

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: Paragraph 6.4 -Box 1 highlights the essential need to site new development so as to minimise travel and provide access to sustainable transport solutions.

But your proposals for 'edge of communities' developments and second-order towns run counter to this essential policy objective.

Your proposals for development of the edges of existing developments requires a major review combined with a commitment to a new environmentally structured town on the edge of Exeter such that it takes up the new housing capacity currently assigned to existing towns. To do otherwise would be a major error that will be impossible to correct.

Full name: Margaret Pinnuck

Other party name (if relevant): -

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:

Paragraph

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: 6.5

2. Do you consider that this part of the Mitigating Climate Change chapter is legally compliant?: No

2(a). If yes, and you wish to support the legal compliance of this part of the Mitigating Climate Change chapter, please use this box to set out your comments.: -

2(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not legally compliant. Please be as precise as possible. : Including developments in a village such as Feniton cannot be legal as with limited public transport, 2 hourly trains for most of the day, lanes very much too dangerous to cycle on, this will not assist you getting to Net Zero

2(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Changes in infrastructure ie returning to hourly trains and developing cycle path must be in place before further development

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(a). If yes, and you wish to support the soundness of this part of the Mitigating Climate Change chapter, please use this box to set out your comments.: -

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: as above

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: as above

4. Do you consider that this part of the Mitigating Climate Change chapter complies with the duty to cooperate?: No

4(a). If yes, and you wish to support this part of the Mitigating Climate Change chapter's compliance with the duty to co-operate, please use this box to set out your comments.: -

4(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter fails to comply with the duty to co-operate. Please be as precise as possible.: Cooperating would presumably mean listening to the Feniton Parish council representation which evidently has not happened

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: -

Full name: Alex Munday

Organisation (where relevant): Kitchener Land and Planning

Other party name (if relevant): Mr Lillie and Ms Blundell

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC01

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: Alexander Munday of Kitchener Land and Planning (KLP) on behalf of Mr Lillie and Mrs Blundell

Whilst we recognise that draft Policy CC01 is intended to set the overall context for the subsequent climate change related policies that follow within Chapter 6 of the Local Plan, it is generally vague in its language and it is not at all clear what development is required to achieve in order to accord with the wording of this policy.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: In addition, since the detailed requirements for development follow in subsequent policies within this section draft Policy CC01 does not in our view add anything. On that basis we recommend that draft Policy CC01 is changed into introductory text for this chapter rather than policy wording.

Full name: Bethan Haigh

Organisation (where relevant): Boyer Planning

Other party name (if relevant): Vistry Group

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC01

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: Strategic Policy CC01 requires that developments must support East Devon's target to become carbon neutral by 2040, through:

Supporting movement to net zero development; and

Maximising opportunities for delivery of low carbon and renewable energy, district heat networks, and energy storage facilities.

The policy is acknowledged; however, it should be recognised that the implementation of the Future Homes Standard (FHS) will largely influence the sustainability requirements that must be adopted for housebuilding across England. The implementation of the FHS will support East Devon's target to become carbon neutral by 2040, and therefore, any policy

requirement which goes beyond the requirements of building regulations (now or in the future) must be justified and supported by relevant viability assumptions and assessment.

Full name: Bethan Haigh

Organisation (where relevant): Boyer Planning

Other party name (if relevant): Taylor Wimpey UK Ltd. C/O Boyer

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC01

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: 2.62 Strategic Policy CC01 requires that developments must support East Devon's target to become carbon neutral by 2040, through:

- Supporting movement to net zero development; and
- Maximising opportunities for delivery of low carbon and renewable energy, district heat networks, and energy storage facilities.

2.63 The policy is acknowledged; however, it should be recognised that the implementation of the Future Homes Standard (FHS) will largely influence the sustainability requirements that must be adopted for housebuilding across England. The implementation of the FHS will support East Devon's target to become carbon neutral by 2040, and therefore, any policy requirement which goes beyond the requirements of building regulations (now or in the future) must be justified and supported by relevant viability assumptions and assessment.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): Sidbury LVA LLP

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC01

2. Do you consider that this part of the Mitigating Climate Change chapter is legally compliant?: No

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: Whilst we recognise that draft Policy CC01 is intended to set the overall context for the subsequent climate change related policies that follow within Chapter 6 of the Local Plan, it is generally vague in its language and it is not at all clear what development is required to achieve in order to accord with the wording of this policy.

In addition, since the detailed requirements for development follow in subsequent policies within this section draft Policy CC01 does not in our view add anything.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: On that basis we recommend that draft Policy CC01 is changed into introductory text for this chapter rather than policy wording.

4. Do you consider that this part of the Mitigating Climate Change chapter complies with the duty to cooperate?: No

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: It is important that Sidbury LVA LLP is present to participate in the hearing session for Policy CC01 owing to their interest in Land South of Furzehill (Sidm_34). It is important that they are given the opportunity to make their case in relation to this policy.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): 3West Group

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC01

2. Do you consider that this part of the Mitigating Climate Change chapter is legally compliant?: No

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: Whilst we recognise that draft Policy CC01 is intended to set the overall context for the subsequent climate change related policies that follow within Chapter 6 of the Local Plan, it is generally vague in its language and it is not at all clear what development is required to achieve in order to accord with the wording of this policy.

In addition, since the detailed requirements for development follow in subsequent policies within this section draft Policy CC01 does not in our view add anything.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: On that basis we recommend that draft Policy CC01 is changed into introductory text for this chapter rather than policy wording.

4. Do you consider that this part of the Mitigating Climate Change chapter complies with the duty to cooperate?: No

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: It is important that 3West Group is present to participate in the hearing session for Policy CC01 owing to their interest in the Land north and east of Exton Farm (Wood_28). It is important that they are given the opportunity to make their case in relation to this policy.

Full name: Neil Mantell

Organisation (where relevant): LRM Planning

Other party name (if relevant): The Cherwell Group

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC01

2. Do you consider that this part of the Mitigating Climate Change chapter is legally compliant?: Yes

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: The Cherwell Group acknowledges the climate crisis and supports East Devon's target of becoming carbon neutral by 2040. They also support the policy framework which seeks new development to contribute to that target. However, this policy requirement needs to be read in the context of

Government guidance and Building Regulations.

NET-ZERO CARBON

The Written Ministerial Statement entitled 'Planning: Local Energy Efficiency Standards' confirms that:

"In 2015, in reference to an un-commenced provision in the Deregulation Act 2015 which amended the Planning and Energy Act 2008, a written ministerial statement—HC Deb, 25 March 2015, vol 584, cols 131-138WS—stated that until that amendment was commenced, local plan policies

exceeding minimum energy efficiency standards should not go beyond level 4 of the Code for Sustainable Homes. Since then, the introduction of the 2021 Part L uplift to the Building Regulations set national minimum energy efficiency standards that are higher than those referenced in the 2015 WMS rendering it effectively moot. A further change to energy efficiency

building regulations is planned for 2025 meaning that homes built to that standard will be net zero ready and should need no significant work to ensure that they have zero carbon emissions as the grid continues to decarbonise. Compared to varied local standards, these nationally applied

standards provide much-needed clarity and consistency for businesses, large and small, to invest and prepare to build net-zero ready homes."

Moreover, it was also stated that:

“the Government do not expect plan-makers to set local energy efficiency standards for buildings that go beyond current or planned buildings regulations. The proliferation of multiple, local standards by local authority area can add further costs to building new homes by adding complexity and undermining economies of scale. Any planning policies that propose local energy efficiency standards for buildings that go beyond current or planned buildings regulation should be rejected at examination if they do not have a well-reasoned and robustly costed rationale.”

This is also reiterated in the PPG [MCLG, Planning Practice Guidance, Climate Change, Paragraph: 009 Reference ID: 6-009-20150327] which states:

“The National Planning Policy Framework expects local planning authorities when setting any local requirement for a building’s sustainability to do so in a way consistent with the government’s zero carbon buildings policy and adopt nationally described standards. Local requirements should

form part of a Local Plan following engagement with appropriate partners, and will need to be based on robust and credible evidence and pay careful attention to viability.”

The Written Ministerial Statement confirms that if planning policies propose local efficiency standards for buildings that go beyond current or planned Building Regulations, they should:

ensure that development remains viable; and

the impact is expressed as a percentage uplift of a dwelling’s target emissions rate, using a specified version of the standard assessment procedure.

Consequently, if it is the intent for developments to achieve net-zero carbon, then the tests above will need to be satisfied. At present, the viability work only provides a cost that reflects the Future Homes Standards and the Local Plan does not contain any policies that refer to target emission rates.

It is therefore concluded that the Policy, as currently drafted and evidenced, can only, in the terms of the movement towards net-zero, be set within the context of existing and emerging Building Regulation standards. This should be confirmed in the Policy’s supporting text. To

adopt a differing and more onerous policy framework would conflict with national planning policy and be an unsound proposition.

LOW CARBON AND RENEWABLE ENERGY

The Cherwell Group notes that the Policy seeks to maximise opportunities for the delivery of low carbon and renewable energy, district heat networks and energy storage facilities. Again, whilst a commendable approach, the requirement, as it relates to housing, needs to be framed within Government policy and guidance.

We are aware in discussions with East Devon, that they are, in certain circumstances, seeking new developments coming forward as allocations within the Local Plan, to provide, via low carbon and renewable energy, an energy balance. This, however, would move beyond the requirements of

Building Regulations. This would, as has been demonstrated above, require clear and compelling evidence. Without such evidence, the Policy would not be consistent with national planning policy and would be unsound. We also draw attention to the PPG [MCLG, Planning Practice Guidance, Climate Change, Paragraph: 012 Reference ID: 6-012-20190315], which states that:

“Provisions in the Planning and Energy Act 2008 also allow development plan policies to impose reasonable requirements for a proportion of energy used in development in their area to be energy from renewable sources and/or to be low carbon energy from sources in the locality of the development.”

Any requirement to maximise low carbon and renewable energy, or particularly to create an energy balance, would appear to be at odds with national guidance which suggests that only a proportion of energy should be used.

Consequently, the Policy is considered to be unjustified and inconsistent with national planning policy.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: The Cherwell Group acknowledges the climate crisis and supports East Devon’s target of becoming carbon neutral by 2040. They also support the policy framework which seeks

new development to contribute to that target. However, this policy requirement needs to be read in the context of

Government guidance and Building Regulations.

NET-ZERO CARBON

The Written Ministerial Statement entitled ‘Planning: Local Energy Efficiency Standards’ confirms that:

“In 2015, in reference to an un-commenced provision in the Deregulation Act 2015 which amended the Planning and Energy Act 2008, a written ministerial statement—HC Deb, 25 March 2015, vol 584, cols 131-138WS—stated that until that amendment was commenced, local plan policies

exceeding minimum energy efficiency standards should not go beyond level 4 of the Code for Sustainable Homes. Since then, the introduction of the 2021 Part L uplift to the Building Regulations set national minimum energy efficiency standards that are higher than those referenced in the 2015 WMS rendering it effectively moot. A further change to energy efficiency

building regulations is planned for 2025 meaning that homes built to that standard will be net zero ready and should need no significant work to ensure that they have zero carbon emissions as the grid continues to decarbonise. Compared to varied local standards, these nationally applied

standards provide much-needed clarity and consistency for businesses, large and small, to invest and prepare to build net-zero ready homes.”

Moreover, it was also stated that:

“the Government do not expect plan-makers to set local energy efficiency standards for buildings that go beyond current or planned buildings regulations. The proliferation of multiple, local standards by local authority area can add further costs to building new homes by adding complexity and undermining economies of scale. Any planning policies that propose local energy efficiency standards for buildings that go beyond current or planned buildings regulation should be rejected at examination if they do not have a well-reasoned and robustly costed rationale.”

This is also reiterated in the PPG [MCLG, Planning Practice Guidance, Climate Change, Paragraph: 009 Reference ID: 6-009-20150327] which states:

“The National Planning Policy Framework expects local planning authorities when setting any local requirement for a building’s sustainability to do so in a way consistent with the government’s zero carbon buildings policy and adopt nationally described standards. Local requirements should

form part of a Local Plan following engagement with appropriate partners, and will need to be based on robust and credible evidence and pay careful attention to viability.”

The Written Ministerial Statement confirms that if planning policies propose local efficiency standards for buildings that go beyond current or planned Building Regulations, they should:

ensure that development remains viable; and

the impact is expressed as a percentage uplift of a dwelling’s target emissions rate, using a specified version of the standard assessment procedure.

Consequently, if it is the intent for developments to achieve net-zero carbon, then the tests above will need to be satisfied. At present, the viability work only provides a cost that reflects the Future Homes Standards and the Local Plan does not contain any policies that refer to target emission rates.

It is therefore concluded that the Policy, as currently drafted and evidenced, can only, in the terms of the movement towards net-zero, be set within the context of existing and emerging Building Regulation standards. This should be confirmed in the Policy’s supporting text. To adopt a differing and more onerous policy framework would conflict with national planning policy and be an unsound proposition.

LOW CARBON AND RENEWABLE ENERGY

The Cherwell Group notes that the Policy seeks to maximise opportunities for the delivery of low carbon and renewable energy, district heat networks and energy storage facilities. Again, whilst a commendable approach, the requirement, as it relates to housing, needs to be framed within Government policy and guidance.

We are aware in discussions with East Devon, that they are, in certain circumstances, seeking new developments coming forward as allocations within the Local Plan, to provide, via low carbon and renewable energy, an energy balance. This, however, would move beyond the requirements of

Building Regulations. This would, as has been demonstrated above, require clear and compelling evidence. Without such evidence, the Policy would not be consistent with national planning policy and would be unsound. We also draw attention to the PPG [MCLG, Planning Practice Guidance, Climate Change, Paragraph: 012 Reference ID: 6-012-20190315], which states that:

“Provisions in the Planning and Energy Act 2008 also allow development plan policies to impose reasonable requirements for a proportion of energy used in development in their area to be energy from renewable sources and/or to be low carbon energy from sources in the locality of the development.”

Any requirement to maximise low carbon and renewable energy, or particularly to create an energy balance, would appear to be at odds with national guidance which suggests that only a proportion of energy should be used.

Consequently, the Policy is considered to be unjustified and inconsistent with national planning policy.

4. Do you consider that this part of the Mitigating Climate Change chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Due to the significant policy issues concerned.

Full name: Nick Matthews

Organisation (where relevant): Savills

Other party name (if relevant): Mac Mic Strategic Land

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC01

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: Introduction

1. This representation is submitted by Savills on behalf of Mac Mic Strategic Land (from hereon referred to as 'Mac Mic'). Mac Mic is a strategic land promoter with a strong reputation for delivering planning permissions that lead to high-quality development.

2. Mac Mic has instructed Savills on their behalf to submit a series of representations to the relevant policies of the Regulation 19 Local Plan, including this policy.

Policy CC01

3. We recognise that Strategic Policy CC01 is intended to set the overall scene for the subsequent policies that follow within Chapter 6 of the Local Plan. However, it is extremely vague in its language and it is not at all clear what development is required to achieve in order to accord with the wording of this policy.

4. Furthermore, since the detailed requirements for development follow in subsequent policies within this section Strategic Policy CC01 does not in itself add anything. On that basis we recommend that it is converted into introductory text for this chapter rather than policy wording.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: We recognise that Strategic Policy CC01 is intended to set the overall scene for the subsequent policies that follow within Chapter 6 of the Local Plan. However, it is extremely vague in its language and it is not at all clear what development is required to achieve in order to accord with the wording of this policy.

4. Furthermore, since the detailed requirements for development follow in subsequent policies within this section Strategic Policy CC01 does not in itself add anything. On that basis we recommend that it is converted into introductory text for this chapter rather than policy wording.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

Full name: Nick Matthews

Organisation (where relevant): Savills

Other party name (if relevant): Mac Mic Strategic Land

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC01

2. Do you consider that this part of the Mitigating Climate Change chapter is legally compliant?: Yes

2(a). If yes, and you wish to support the legal compliance of this part of the Mitigating Climate Change chapter, please use this box to set out your comments.: -

2(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not legally compliant. Please be as precise as possible. : -

2(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: -

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(a). If yes, and you wish to support the soundness of this part of the Mitigating Climate Change chapter, please use this box to set out your comments.: -

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: See attached.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: See attached.

4. Do you consider that this part of the Mitigating Climate Change chapter complies with the duty to cooperate?: Yes

4(a). If yes, and you wish to support this part of the Mitigating Climate Change chapter's compliance with the duty to co-operate, please use this box to set out your comments.: -

4(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter fails to comply with the duty to co-operate. Please be as precise as possible.: -

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)? Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: See attached.

Full name: Owen Jones

Organisation (where relevant): LRM Planning

Other party name (if relevant): David Wilson Homes

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC01

2. Do you consider that this part of the Mitigating Climate Change chapter is legally compliant?: Yes

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(a). If yes, and you wish to support the soundness of this part of the Mitigating Climate Change chapter, please use this box to set out your comments.: -

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: Net-zero carbon

9.11 The Written Ministerial Statement entitled ‘Planning: Local Energy Efficiency Standards’ confirms

that:

“In 2015, in reference to an un-commenced provision in the Deregulation Act 2015 which amended

the Planning and Energy Act 2008, a written ministerial statement—HC Deb, 25 March 2015, vol 584, cols 131-138WS—stated that until that amendment was commenced, local plan policies exceeding minimum energy efficiency standards should not go beyond level 4 of the Code for Sustainable Homes. Since then, the introduction of the 2021 Part L uplift to the Building Regulations set national minimum energy efficiency standards that are higher than those referenced in the 2015 WMS rendering it effectively moot. A further change to energy efficiency building regulations is planned for 2025 meaning that homes built to that standard will be net zero

ready and should need no significant work to ensure that they have zero carbon emissions as the

grid continues to decarbonise. Compared to varied local standards, these nationally applied standards provide much-needed clarity and consistency for businesses, large and small, to invest

and prepare to build net-zero ready homes.”

9.12 Moreover, it was also stated that:

EAST DEVON LOCAL PLAN PUBLICATION DRAFT CONSULTATION 47

“the Government do not expect plan-makers to set local energy efficiency standards for buildings

that go beyond current or planned buildings regulations. The proliferation of multiple, local standards by local authority area can add further costs to building new homes by adding complexity and undermining economies of scale. Any planning policies that propose local energy

efficiency standards for buildings that go beyond current or planned buildings regulation should be rejected at examination if they do not have a well-reasoned and robustly costed rationale.”

9.13 This is also reiterated in the PPG,²³ which states:

“The National Planning Policy Framework expects local planning authorities when setting any local requirement for a building’s sustainability to do so in a way consistent with the government’s

zero carbon buildings policy and adopt nationally described standards. Local requirements should

form part of a Local Plan following engagement with appropriate partners, and will need to be based on robust and credible evidence and pay careful attention to viability.”

9.14 The Written Ministerial Statement confirms that if planning policies propose local efficiency

standards for buildings that go beyond current or planned Building Regulations, they should:

? ensure that development remains viable; and

? the impact is expressed as a percentage uplift of a dwelling’s target emissions rate, using a specified version of the standard assessment procedure.

9.15 Consequently, if it is the intent for developments to achieve net-zero carbon, then the tests above

will need to be satisfied. At present, the viability work only provides a cost that reflects the Future

Homes Standards and the Local Plan does not contain any policies that refer to target emission rates.

9.16 It is therefore concluded that the Policy, as currently drafted and evidenced, can only, in the terms of

the movement towards net-zero, be set within the context of existing and emerging Building

Regulation standards. This should be confirmed in the Policy's supporting text. To adopt a differing

and more onerous policy framework would conflict with national planning policy and be an unsound proposition.

Low carbon and renewable energy

9.17 DWH notes that the Policy seeks to maximise opportunities for the delivery of low carbon and

renewable energy, district heat networks and energy storage facilities. Again, whilst a commendable

approach, the requirement, as it relates to housing, needs to be framed within Government policy

and guidance.

9.18 We are aware in discussions with East Devon, that they are, in certain circumstances, seeking new

developments coming forward as allocations within the Local Plan, to provide, via low carbon and

renewable energy, an energy balance. This, however, would move beyond the requirements of

Building Regulations. This would, as has been demonstrated above, require clear and compelling

evidence. Without such evidence, the Policy would not be consistent with national planning policy

and would be unsound. We also draw attention to the PPG24, which states that:

“Provisions in the Planning and Energy Act 2008 also allow development plan policies to impose reasonable requirements for a proportion of energy used in development in their area to be energy

from renewable sources and/or to be low carbon energy from sources in the locality of the development.”

23 MCLG, Planning Practice Guidance, Climate Change, Paragraph: 009 Reference ID: 6-009-20150327

24 MCLG, Planning Practice Guidance, Climate Change, Paragraph: 012 Reference ID: 6-012-20190315

EAST DEVON LOCAL PLAN PUBLICATION DRAFT CONSULTATION 48

9.19 Any requirement to maximise low carbon and renewable energy, or particularly to create an energy

balance, would appear to be at odds with national guidance which suggests that only a proportion

of energy should be used.

9.20 Consequently, the Policy is considered to be unjustified and inconsistent with national planning

policy.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Net-zero carbon

9.11 The Written Ministerial Statement entitled ‘Planning: Local Energy Efficiency Standards’ confirms

that:

“In 2015, in reference to an un-commenced provision in the Deregulation Act 2015 which amended

the Planning and Energy Act 2008, a written ministerial statement—HC Deb, 25 March 2015, vol

584, cols 131-138WS—stated that until that amendment was commenced, local plan policies

exceeding minimum energy efficiency standards should not go beyond level 4 of the Code for

Sustainable Homes. Since then, the introduction of the 2021 Part L uplift to the Building

Regulations set national minimum energy efficiency standards that are higher than those

referenced in the 2015 WMS rendering it effectively moot. A further change to energy efficiency

building regulations is planned for 2025 meaning that homes built to that standard will be net zero

ready and should need no significant work to ensure that they have zero carbon emissions as the

grid continues to decarbonise. Compared to varied local standards, these nationally applied

standards provide much-needed clarity and consistency for businesses, large and small, to invest

and prepare to build net-zero ready homes.”

9.12 Moreover, it was also stated that:

EAST DEVON LOCAL PLAN PUBLICATION DRAFT CONSULTATION 47

“the Government do not expect plan-makers to set local energy efficiency standards for buildings

that go beyond current or planned buildings regulations. The proliferation of multiple, local

standards by local authority area can add further costs to building new homes by adding

complexity and undermining economies of scale. Any planning policies that propose local energy

efficiency standards for buildings that go beyond current or planned buildings regulation should be rejected at examination if they do not have a well-reasoned and robustly costed rationale.”

9.13 This is also reiterated in the PPG,²³ which states:

“The National Planning Policy Framework expects local planning authorities when setting any local requirement for a building’s sustainability to do so in a way consistent with the government’s

zero carbon buildings policy and adopt nationally described standards. Local requirements should

form part of a Local Plan following engagement with appropriate partners, and will need to be based on robust and credible evidence and pay careful attention to viability.”

9.14 The Written Ministerial Statement confirms that if planning policies propose local efficiency

standards for buildings that go beyond current or planned Building Regulations, they should:

? ensure that development remains viable; and

? the impact is expressed as a percentage uplift of a dwelling’s target emissions rate, using a specified version of the standard assessment procedure.

9.15 Consequently, if it is the intent for developments to achieve net-zero carbon, then the tests above

will need to be satisfied. At present, the viability work only provides a cost that reflects the Future

Homes Standards and the Local Plan does not contain any policies that refer to target emission rates.

9.16 It is therefore concluded that the Policy, as currently drafted and evidenced, can only, in the terms of

the movement towards net-zero, be set within the context of existing and emerging Building Regulation standards. This should be confirmed in the Policy’s supporting text. To adopt a differing

and more onerous policy framework would conflict with national planning policy and be an unsound proposition.

Low carbon and renewable energy

9.17 DWH notes that the Policy seeks to maximise opportunities for the delivery of low carbon and

renewable energy, district heat networks and energy storage facilities. Again, whilst a commendable

approach, the requirement, as it relates to housing, needs to be framed within Government policy

and guidance.

9.18 We are aware in discussions with East Devon, that they are, in certain circumstances, seeking new

developments coming forward as allocations within the Local Plan, to provide, via low carbon and

renewable energy, an energy balance. This, however, would move beyond the requirements of Building Regulations. This would, as has been demonstrated above, require clear and compelling

evidence. Without such evidence, the Policy would not be consistent with national planning policy

and would be unsound. We also draw attention to the PPG24, which states that:

“Provisions in the Planning and Energy Act 2008 also allow development plan policies to impose reasonable requirements for a proportion of energy used in development in their area to be energy from renewable sources and/or to be low carbon energy from sources in the locality of the development.”

23 MCLG, Planning Practice Guidance, Climate Change, Paragraph: 009 Reference ID: 6-009-20150327

24 MCLG, Planning Practice Guidance, Climate Change, Paragraph: 012 Reference ID: 6-012-20190315

EAST DEVON LOCAL PLAN PUBLICATION DRAFT CONSULTATION 48

9.19 Any requirement to maximise low carbon and renewable energy, or particularly to create an energy

balance, would appear to be at odds with national guidance which suggests that only a proportion

of energy should be used.

9.20 Consequently, the Policy is considered to be unjustified and inconsistent with national planning

policy.

4. Do you consider that this part of the Mitigating Climate Change chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)? Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary. Due to the significant policy issues concerned.

Full name: Stuart Houlet

Organisation (where relevant): PCL Planning Ltd

Other party name (if relevant): Waddeton Park Limited (Honiton)

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC01

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: We have previously raised concerns regarding the emerging plan's focus on ambitious policies seeking Net Zero by 2040 and the impact this has on the viability of development. This challenging ambition needs to be grounded by the imperative to tackle fundamental need for housing across East Devon. We remain concerned that the Regulation 19 plan includes a number of 'Climate Change' policies which, in some instances, may negatively impact the ability to deliver much needed development in the District. It is important that policy approaches carefully consider and evidence their implications on the ability of the Plan to deliver sustainable development to meet local needs.

Strategic Policy CC01: Climate Emergency

This policy refers to development that will generate 'significant emissions' as having to require clear justification including articulating carbon saving approaches to be incorporated in the development. The trigger for this is incredibly broad, and we have concerns regarding how this could be applied to development in the future. This needs to be further clarified.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Policies CC01, CC02 and CC05 should be clarified to ensure that their requirements are clear in terms of triggers and flexibilities and do not duplicate other legislation better suited to implement objectives (i.e. Building Regulations). The Plan needs to be clear how any requirements can be achieved without raising deliverability or viability issues that may make the Plan ineffective.

Full name: Stuart Houlet

Organisation (where relevant): PCL Planning Ltd

Other party name (if relevant): Waddeton Park Limited (Honiton)

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC01

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: We have previously raised concerns regarding the emerging plan's focus on ambitious policies seeking Net Zero by 2040 and the impact this has on the viability of development. This challenging ambition needs to be grounded by the imperative to tackle fundamental need for housing across East Devon. We remain concerned that the Regulation 19 plan includes a number of 'Climate Change' policies which, in some instances, may negatively impact the ability to deliver much needed development in the District. It is important that policy approaches carefully consider and evidence their implications on the ability of the Plan to deliver sustainable development to meet local needs.

STRATEGIC POLICY CC01: CLIMATE EMERGENCY

This policy refers to development that will generate 'significant emissions' as having to require clear justification including articulating carbon saving approaches to be incorporated in the development. The trigger for this is incredibly broad, and we have concerns regarding how this could be applied to development in the future. This needs to be further clarified.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Policies CC01, CC02 and CC05 should be clarified to ensure that their requirements are clear in terms of triggers and flexibilities and do not duplicate other legislation better suited to implement objectives (i.e. Building Regulations). The Plan needs to be clear how any requirements can be achieved without raising deliverability or viability issues that may make the Plan ineffective.

Full name: Stuart Houlet

Organisation (where relevant): PCL Planning Ltd

Other party name (if relevant): Waddeton Park Limited (Honiton)

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC01

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(a). If yes, and you wish to support the soundness of this part of the Mitigating Climate Change chapter, please use this box to set out your comments.: -

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: [Submitted on behalf of Waddeton Park Limited (Honiton)]

We have previously raised concerns regarding the emerging plan's focus on ambitious policies seeking Net Zero by 2040 and the impact this has on the viability of development. This challenging ambition needs to be grounded by the imperative to tackle fundamental need for housing across East Devon. We remain concerned that the Regulation 19 plan includes a number of 'Climate Change' policies which, in some instances, may negatively impact the ability to deliver much needed development in the District. It is important that policy approaches carefully consider and evidence their implications on the ability of the Plan to deliver sustainable development to meet local needs.

Strategic Policy CC01: Climate Emergency

This policy refers to development that will generate 'significant emissions' as having to require clear justification including articulating carbon saving approaches to be incorporated in the development. The trigger for this is incredibly broad, and we have concerns regarding how this could be applied to development in the future. This needs to be further clarified.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Modification required

The above policies should be clarified to ensure that their requirements are clear in terms of triggers and flexibilities and do not duplicate other legislation better suited to implement objectives (i.e. Building Regulations). The Plan needs to be clear how any requirements can be achieved without raising deliverability or viability issues that may make the Plan ineffective.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To elaborate on these and previous representations made on the Plan

Full name: Stuart Houlet

Organisation (where relevant): PCL Planning Ltd

Other party name (if relevant): Waddeton Park Limited (Honiton)

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC01

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: (PCL Planning on behalf of Waddeton Park Limited (Honiton)):

We have previously raised concerns regarding the emerging plan's focus on ambitious policies seeking Net Zero by 2040 and the impact this has on the viability of development. This challenging ambition needs to be grounded by the imperative to tackle fundamental need for housing across East Devon. We remain concerned that the Regulation 19 plan includes a number of 'Climate Change' policies which, in some instances, may negatively impact the ability to deliver much needed development in the District. It is important that policy approaches carefully consider and evidence their implications on the ability of the Plan to deliver sustainable development to meet local needs.

This policy refers to development that will generate 'significant emissions' as having to require clear justification including articulating carbon saving approaches to be incorporated in the development. The trigger for this is incredibly broad, and we have concerns regarding how this could be applied to development in the future. This needs to be further clarified.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: [The policy] should be clarified to ensure that [the] requirements are clear in terms of triggers and flexibilities and do not duplicate other legislation better suited to implement objectives (i.e. Building Regulations). The Plan needs to be clear how any requirements can be achieved without raising deliverability or viability issues that may make the Plan ineffective.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: in order to provide greater elaboration of the detail of these representations

Full name: Will Ridalls

Organisation (where relevant): PCL PLANNING LTD

Other party name (if relevant): Simon Stokes

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC01

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: This policy refers to development that will generate 'significant emissions' as having to require clear justification including articulating carbon saving approaches to be incorporated in the development. The trigger for this is incredibly broad, and we have concerns regarding how this could be applied to development in the future. This needs to be further clarified.

Full name: Lucy Tyrrell

Organisation (where relevant): Lympstone Parish Council

Other party name (if relevant): -

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC01

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: transparent calculation of the carbon cost of development must be included, along with sustainable travel options, and measures to reduce car dependency quantified. Without these important elements, this policy is not based on solid evidence.

Full name: Harriet Fuller

Organisation (where relevant): Environment Agency

Other party name (if relevant): -

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC01

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: We fully support the approach to have separate chapters for mitigation and adaptation to climate change.

CC01A should read “Contributing to net-zero development” or “Delivering net-zero development”. The current wording of “supporting movement” doesn’t conjure clarity on how this would be done.

The paragraph under points A and B also lacks clarity. The wording ‘significant emissions’ fails to specify whether that’s the development generating emissions, or that the development may have high energy consumption. Significant emissions may be more thought of for heavy industry, but of course the construction of any development will entail energy consumption, and with that, emissions. Both should be considered and therefore suggest that the wording states: “Any development that by the nature of development design or subsequent operations will generate significant emissions and/or significant energy usage will need clear justification...”.

Please see attached Environment Agency signposting for LPAs regarding climate change which may be helpful and includes links to a number of evidence documents you may wish to consider including to further fortify your evidence base.

This chapter should also promote that adapting should also include 'providing space for nature to adapt', including ensuring that BNG is adaptable to climate change over time.

Full name: Rachel Danemann

Organisation (where relevant): Home Builders Federation (HBF)

Other party name (if relevant): -

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC01

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: The policy is not considered to be sound as it is not positively prepared, effective, justified or consistent with national policy

60. The proposed wording suggests that the Council is seeking to move away from the carbon reduction methods set out in Part L of the Building Regulations. HBF supports the Council in seeking to minimise carbon emissions and reduce heat and power demand through energy efficient design. However, the HBF does not consider that the Council setting its own standards is the appropriate method to achieve these outcomes.

61. Whilst the ambitious and aspirational aim to achieve zero carbon is lauded, the HBF is concerned that the Council is adding to the complexity of policy, regulations and standards that housebuilders are already expected to comply with. The key to success is standardisation and avoidance of individual Councils specifying their own policy approach, which undermines economies of scale for product manufacturers, suppliers and developers. The impact of this requirement along with others in this Plan may have considerable viability implications and may lead to the non-delivery of homes and needs to be fully considered within the Viability Assessment.

62. HBF would caution against policies that seek to go further and faster than national legislation and policy changes, which would lead to the creation of a patchwork of differing local policies which could inadvertently undermine the delivery of the wider environmental objectives the Council is seeking and create unnecessary delays to much needed new housing.

63. HBF would highlight the latest publication 'Future Homes, One Plan Building a generation of high quality, affordable and sustainable homes and communities, together'
https://irp.cdn-web-site.com/bdbb2d99/files/uploaded/Future%20Homes%20One%20Plan_Future%20Homes%20Hub%20Prospectus-%20FINAL%20WEB.pdf.

64. This was published in Nov 2023 and highlights what actions are needed to support the delivery of sustainable homes.

65. In particular HBF, would highlight 'Issue 9. The Partnership Imperative' on page 15 which states in the Local Government section that "Local planning requirements must align with the overall plan for improving performance standards at national level. For example, avoiding divergence of local energy standards that make it harder to accelerate improvement in standards at national level, and avoiding conflict between local planning conditions and new requirements of building regulations."

66. The government has also provided further advice for local authorities through the Written Ministerial Statement which says "the Government does not expect plan-makers to set local energy efficiency standards for buildings that go beyond current or planned buildings regulations. The proliferation of multiple, local standards by local authority area can add further costs to building new homes by adding complexity and undermining economies of scale." See <https://questions-statements.parliament.uk/written-statements/detail/2023-12-13/HCWS123>

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

67. To be consistent with national policy, HBF request the Council rely on the Building Regulations process as the way to manage improving energy efficiency standards and as such no policy on this issue is needed in the Local Plan.

Full name: Devon Wildlife Trust (planning)

Organisation (where relevant): Devon Wildlife Trust

Other party name (if relevant): -

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC01

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: We would urge the council to revise their targets to 'net-zero/positive'.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: We would urge the council to revise their targets to 'net-zero/positive'.

Full name: Dee Woods

Organisation (where relevant): Otter Valley Association

Other party name (if relevant): -

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC01

2(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not legally compliant. Please be as precise as possible. : -

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: To be consistent with the Council's 2019 declaration of the climate emergency and target of achieving climate neutrality by 2040 and net zero developments, there needs to be a stronger policy than merely 'supporting movement to net-zero development' - new developments should be net-zero.

Full name: Bethan Haigh

Organisation (where relevant): Boyer Planning

Other party name (if relevant): Vistry Group

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC02

3(a). If yes, and you wish to support the soundness of this part of the Mitigating Climate Change chapter, please use this box to set out your comments.: Vistry continue to support the Council's declaration of a climate emergency and acknowledge that there is a need within the Draft LP for a policy which requires new developments to respond to, and mitigate, the effects of climate change.

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: However, Vistry have significant concerns with regards to the requirements for 'all new homes' and 'all development' as detailed within Strategic Policy CC02 and question if the level of detail required is a justified request based on a robust evidence base.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Policy requirements should be based upon existing legislation such as Part L of the building regulations and the Future Homes Standard requirements. Whilst it is acknowledged that meeting energy efficiency requirements as set out within the building regulation Future Homes Standard 2025 or successor standards will provide measures to achieve the overarching goal of net-zero carbon development, the proposed policy should not be a duplicate to Building Regulations; and viability must be considered and sufficient flexibility built into the policy.

Full name: Bethan Haigh

Organisation (where relevant): Boyer Planning

Other party name (if relevant): Taylor Wimpey UK Ltd. C/O Boyer

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC02

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: 2.64 Strategic Policy CC02 requires all new homes to meet the energy efficiency requirements set out in the building regulations Future Homes Standard (FHS) 2025. It is anticipated that the FHS will come into force in 2025, therefore on adoption of this Draft LP it is assumed that this policy will be unnecessarily repeating other legislation and requirements and will therefore not be required.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: 2.65The policy also requires all new developments to demonstrate at the application stage that the relevant standards can be achieved. It should be recognised that such information, which relates to detailed interior and exterior design will only be available at detailed design stage, therefore is unlikely to be available at the point of Outline planning application submission. The policy text should be revised accordingly.

Full name: Damien Lynch

Organisation (where relevant): Planning Issues

Other party name (if relevant): Churchill Living and McCarthy Stone

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC02

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: The viability study assumes residential testing includes costs allowances for Future Homes.

The viability study concludes that the combined policy requirements within the draft local plan are only viable in VA1 in respect of older persons housing.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Given that the policy seeks to mirror building regulation requirements at any given time, we would question why this policy is actually required

Full name: Jemma Shorrocks

Organisation (where relevant): Boyer Planning

Other party name (if relevant): Persimmon Homes South West Limited

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC02

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: PHSW consider that Strategic Policy CC02 is unnecessary as Future Homes Standard (FHS) will come into force by the adoption of the Draft LP, and that the current policy text repeats legislation and requirements which is not required.

In addition, the PHSW consider that the proposed policy text should be amended accordingly, to ensure that there is flexibility with particular regards to application types, as it is unlikely that this information will be available at outline application stage.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: The policy text should therefore be updated to acknowledge this will only be available at a detailed design stage.

Full name: Jess Perminter

Organisation (where relevant): Carney Sweeney

Other party name (if relevant): CR Down Farming Ltd and Stuart Partners Ltd

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC02

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: Part A requires compliance with the Future Homes Standard 2025 or successors or if not implemented, the Future Homes and Buildings Standards 2023.

The Written Ministerial Statement dated 13 December 2023 in respect of energy efficiency standards states that:

The improvement in standards already in force, alongside the ones which are due in 2025,

demonstrates the Government's commitment to ensuring new properties have a much lower impact

on the environment in the future. In this context, the Government does not expect plan-makers to set local energy efficiency standards for buildings that go beyond current or planned buildings regulations.

The proliferation of multiple, local standards by local authority area can add further costs to building new homes by adding complexity and undermining economies of scale. Any planning policies that

propose local energy efficiency standards for buildings that go beyond current or planned buildings regulation should be rejected at examination if they do not have a well-reasoned and robustly costed

rationale that ensures:

- That development remains viable, and the impact on housing supply and affordability is considered in accordance with the National Planning Policy Framework.
- The additional requirement is expressed as a percentage uplift of a dwelling's Target Emissions Rate (TER) calculated using a specified version of the Standard Assessment Procedure (SAP).

The policy is also not expressed in such a way that complies with the second bullet.

Even if the policy is found sound, it must be applied flexibly where the applicant can demonstrate that meeting the higher standard is not technically feasible in relation to the availability of appropriate local infrastructure, in accordance with the WMS.

Part C: New homes to be designed to avoid temperature discomfort. Temperature discomfort is not defined.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Policy should be deleted.

Full name: Neil Mantell

Organisation (where relevant): LRM Planning

Other party name (if relevant): The Cherwell Group

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC02

2. Do you consider that this part of the Mitigating Climate Change chapter is legally compliant?: Yes

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: Amongst other requirements, Policy CC02 of the emerging Local Plan requires all new homes to meet the energy efficiency requirements set out within the Future Homes Standards.

As set out above, the Future Homes Standards will ensure that a new home designed to meet these standards is zero-carbon ready and will rely on the decarbonisation of the grid to ensure that a home becomes zero-carbon.

From their implementation date, their application will be unobjectionable. The implementation date is, at present, proposed to be in 2025. On the implementation of the standards, a new method of assessment will be introduced, which is currently proposed to be the Home Energy Model (HEM).

However, in the period until the implementation of the new standards, the HEM will not be available. As part of the Future Buildings Standard consultation, a beta version of the HEM was made available for use by consultants. However, as the consultation is now closed, the tool is no

longer available for use. Therefore, if the expectation is for homes to be assessed against the Future Homes Standard prior to its implementation, then there is currently no tool or platform available for this to be undertaken. Consequently, the policy requirement is ineffective.

In any event, prior to their implementation, the application of the enhanced standards would, as established in our response to Policy CC01, be contrary to national planning policy and guidance.

Moreover, it is noted that there is a requirement for major non-residential development to achieve at least BREEAM excellent standards, unless it is demonstrated that they cannot technically be complied with, or render a proposal unviable. However, and noting that the Policy is set within a title

of 'net zero carbon development,' it is instructive to note that the BREEAM standards do not measure net zero carbon development, as carbon emissions are only considered within two credits; Ene 01 (Reduction of energy use and carbon emissions) and Mat 01 (Environmental Impacts from

Construction Products – Building Life Cycle Assessment (LCA)).

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: SUGGESTED CHANGE

"All new homes (including conversions) will be required:

A. To meet energy efficiency requirements set out in Building Regulations Part L 2021 the building regulation Future Homes Standard (FHS) 2025 or successor standards."

4. Do you consider that this part of the Mitigating Climate Change chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Due to the significant policy issues concerned.

Full name: Nick Guildford

Organisation (where relevant): C G Fry & Son

Other party name (if relevant): Mr & Mrs Cowling

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC02

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: Comment Part A requires compliance with the Future Homes Standard 2025 or successors or if not implemented, the Future Homes and Buildings Standards 2023.

The Written Ministerial Statement dated 13 December 2023 in respect of energy efficiency standards states that:

The improvement in standards already in force, alongside the ones which are due in 2025, demonstrates the Government's commitment to ensuring new properties have a much lower impact on the environment in the future. In this context, the Government does not expect plan-makers to set local energy efficiency standards for buildings that go beyond current or planned buildings regulations. The proliferation of multiple, local standards by local authority area can add further costs to building new homes by adding complexity and undermining economies of scale. Any planning policies that propose local energy efficiency standards for buildings that go beyond current or planned buildings regulation should be rejected at examination if they do not have a well-reasoned and robustly costed rationale that ensures:

- That development remains viable, and the impact on housing supply and affordability is considered in accordance with the National Planning Policy Framework.
- The additional requirement is expressed as a percentage uplift of a dwelling's Target Emissions Rate (TER) calculated using a specified version of the Standard Assessment Procedure (SAP).

The values put in the Three Dragons Viability Assessment are well short of actual costs associated with achieving Future Homes standards. Recent experience shows that an Air Source Heat Pump costs around £7,500 per plot, and this is just one element of the measures required to meet the standard. When considered alongside the provision of PV, Waste water

heat recovery and improvement fabric elements, we believe the costs would be close to £10k-£15k depending on the size of the unit. Clearly this is double the costs allowed for in the Three Dragons appraisal.

The policy is also not expressed in such a way that complies with the second bullet.

Even if the policy is found sound, it must be applied flexibly where the applicant can demonstrate that meeting the higher standard is not technically feasible in relation to the availability of appropriate local infrastructure, in accordance with the WMS.

Part C: New homes to be designed to avoid temperature discomfort. Temperature discomfort is not defined.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Policy should be deleted.

Full name: Owen Jones

Organisation (where relevant): LRM Planning

Other party name (if relevant): David Wilson Homes

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC02

2. Do you consider that this part of the Mitigating Climate Change chapter is legally compliant?: Yes

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: STRATEGIC POLICY CC02 – NET-ZERO CARBON DEVELOPMENT

9.21 Amongst other requirements, Policy CC02 of the emerging Local Plan requires all new homes to

meet the energy efficiency requirements set out within the Future Homes Standards.

9.22 As set out above, the Future Homes Standards will ensure that a new home designed to meet these

standards is zero-carbon ready and will rely on the decarbonisation of the grid to ensure that a home becomes zero-carbon.

9.23 From their implementation date, their application will be unobjectionable. The implementation

date is, at present, proposed to be in 2025. On the implementation of the standards, a new method

of assessment will be introduced, which is currently proposed to be the Home Energy Model (HEM).

9.24 However, in the period until the implementation of the new standards, the HEM will not be available. As part of the Future Buildings Standard consultation, a beta version of the HEM was made available for use by consultants. However, as the consultation is now closed, the tool is no

longer available for use. Therefore, if the expectation is for homes to be assessed against the Future

Homes Standard prior to its implementation, then there is currently no tool or platform available for

this to be undertaken. Consequently, the policy requirement is ineffective.

9.25 In any event, prior to their implementation, the application of the enhanced standards would, as

established in our response to Policy CC01, be contrary to national planning policy and guidance.

9.26 Moreover, it is noted that there is a requirement for major non-residential development to achieve

at least BREEAM excellent standards, unless it is demonstrated that they cannot technically be complied with, or render a proposal unviable. However, and noting that the Policy is set within a title

of 'net zero carbon development,' it is instructive to note that the BREEAM standards do not measure net zero carbon development, as carbon emissions are only considered within two credits;

Ene 01 (Reduction of energy use and carbon emissions) and Mat 01 (Environmental Impacts from

Construction Products – Building Life Cycle Assessment (LCA)).

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Suggested change “All new homes (including conversions) will be required:

A. To meet energy efficiency requirements set out in Building Regulations Part L 2021 the building regulation Future Homes Standard (FHS) 2025 or successor standards. If the FHS 2025 is not incorporated into Building Regulations by the date of Local Plan adoption, the draft standards as set out in - The Future Homes and Buildings Standards: 2023 consultation²³) will be required in developments;”

4. Do you consider that this part of the Mitigating Climate Change chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Due to the significant policy issues concerned.

Full name: Samantha Thomas

Organisation (where relevant): CarneySweeney

Other party name (if relevant): WainHomes (South West) Ltd

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC02

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: Part A requires compliance with the Future Homes Standard 2025 or successors or if not implemented, the Future Homes and Buildings Standards 2023.

The Written Ministerial Statement dated 13 December 2023 in respect of energy efficiency standards states that:

The improvement in standards already in force, alongside the ones which are due in 2025, demonstrates the Government's commitment to ensuring new properties have a much lower impact on the environment in the future. In this context, the Government does not expect plan-makers to set local energy efficiency standards for buildings that go beyond current or planned buildings regulations. The proliferation of multiple, local standards by local authority area can add further costs to building new homes by adding complexity and undermining economies of scale. Any planning policies that propose local energy efficiency standards for buildings that go beyond current or planned buildings regulation should be rejected at examination if they do not have a well-reasoned and robustly costed rationale that ensures:

- That development remains viable, and the impact on housing supply and affordability is considered in accordance with the National Planning Policy Framework.
- The additional requirement is expressed as a percentage uplift of a dwelling's Target Emissions Rate (TER) calculated using a specified version of the Standard Assessment Procedure (SAP).

Based on current experience the values put in the Three Dragons Viability Assessment for the additional costs associated with achieving Future Homes standards are too low. However more fundamentally as the government are still consulting on the various options for how Future Homes could be achieved it is impossible to properly cost achieving this at this time. As such the viability impacts of the policy cannot be tested as is required by the above WMS and so the policy should not be retained.

The Council should not seek to pre-empt national standards.

The policy is also not expressed in such a way that complies with the second bullet.

Even if the policy is found sound, it must be applied flexibly where the applicant can demonstrate that meeting the higher standard is not technically feasible in relation to the availability of appropriate local infrastructure, in accordance with the WMS.

Part C: New homes to be designed to avoid temperature discomfort. Temperature discomfort is not defined.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Policy should be deleted.

Full name: Samantha Thomas

Organisation (where relevant): CarneySweeney

Other party name (if relevant): Cavanna Homes (Cavanna)

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC02

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: Part A requires compliance with the Future Homes Standard 2025 or successors or if not implemented, the Future Homes and Buildings Standards 2023.

The Written Ministerial Statement dated 13 December 2023 in respect of energy efficiency standards states that:

The improvement in standards already in force, alongside the ones which are due in 2025, demonstrates the Government's commitment to ensuring new properties have a much lower impact on the environment in the future. In this context, the Government does not expect plan-makers to set local energy efficiency standards for buildings that go beyond current or planned buildings regulations. The proliferation of multiple, local standards by local authority area can add further costs to building new homes by adding complexity and undermining economies of scale. Any planning policies that propose local energy efficiency standards for buildings that go beyond current or planned buildings regulation should be rejected at examination if they do not have a well-reasoned and robustly costed rationale that ensures:

- That development remains viable, and the impact on housing supply and affordability is considered in accordance with the National Planning Policy Framework.
- The additional requirement is expressed as a percentage uplift of a dwelling's Target Emissions Rate (TER) calculated using a specified version of the Standard Assessment Procedure (SAP).

Based on current experience the values put in the Three Dragons Viability Assessment for the additional costs associated with achieving Future Homes standards feel too low. However more fundamentally as the government are still consulting on the various options for how Future Homes could be achieved it is

www.carneysweeney.co.uk

impossible to properly cost achieving this at this time. As such the viability impacts of the policy cannot be tested as is required by the above WMS and so the policy should not be retained.

The Council should not seek to pre-empt national standards.

The policy is also not expressed in such a way that complies with the second bullet.

Even if the policy is found sound, it must be applied flexibly where the applicant can demonstrate that meeting the higher standard is not technically feasible in relation to the availability of appropriate local infrastructure, in accordance with the WMS.

Part C: New homes to be designed to avoid temperature discomfort. Temperature discomfort is not defined.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Policy should be deleted.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

Full name: Samantha Thomas

Organisation (where relevant): CarneySweeney

Other party name (if relevant): Taylor Wimpey Exeter

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC02

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: Part A requires compliance with the Future Homes Standard 2025 or successors or if not implemented, the Future Homes and Buildings Standards 2023.

The Written Ministerial Statement dated 13 December 2023 in respect of energy efficiency standards states that:

The improvement in standards already in force, alongside the ones which are due in 2025, demonstrates the Government's commitment to ensuring new properties have a much lower impact on the environment in the future. In this context, the Government does not expect plan-makers to set local energy efficiency standards for buildings that go beyond current or planned buildings regulations. The proliferation of multiple, local standards by local authority area can add further costs to building new homes by adding complexity and undermining economies of scale. Any planning policies that propose local energy efficiency standards for buildings that go beyond That development remains viable, and the impact on housing supply and affordability is considered in accordance with the National Planning Policy Framework.

- The additional requirement is expressed as a percentage uplift of a dwelling's TargetEmissions Rate (TER) calculated using a specified version of the Standard AssessmentProcedure (SAP).

Based on current experience the values put in the Three Dragons Viability Assessment for the additional costs associated with achieving Future Homes standards feels too low. However more fundamentally as the government are still consulting on the various options for how Future Homes could be achieved it is impossible to properly cost achieving this at this time. As such the viability impacts of the policy cannot be tested as is required by the above WMS and so the policy should not be retained. The Council should not seek to pre-empt national standards. The policy is also not expressed in such a way that complies with the second bullet. Even if the policy is found sound, it must be applied flexibly where the applicant can demonstrate that meeting the higher standard is not technically feasible in relation to the availability of appropriate local infrastructure, in accordance with the WMS. Part C: New homes to be designed to avoid temperature discomfort. Temperature discomfort is not defined. All major non-residential developments will be required to meet the latest BREEAM "Excellent" standard – the EPC regime for newly constructed commercial buildings is becoming much stricter as we approach 2030. It is not necessary to include this BREEAM requirement if improvements to the sustainability credentials of commercial properties is covered by EPCs.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified

above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Policy should be deleted.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

Full name: Simon Coles

Organisation (where relevant): Carney Sweeney

Other party name (if relevant): C R Down Farming Ltd and Stuart Partners Ltd

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC02

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: CarneySweeney acts for CR Down Farming Ltd and Stuart Partners Ltd in connection with land south of A3052 and east of A376, Clyst St Mary, East Devon.

Part A requires compliance with the Future Homes Standard 2025 or successors or if not implemented, the Future Homes and Buildings Standards 2023.

The Written Ministerial Statement dated 13 December 2023 in respect of energy efficiency standards states that:

The improvement in standards already in force, alongside the ones which are due in 2025, demonstrates the Government's commitment to ensuring new properties have a much lower impact on the environment in the future. In this context, the Government does not expect plan-makers to set local energy efficiency standards for buildings that go beyond current or planned buildings regulations. The proliferation of multiple, local standards by local authority area can add further costs to building new homes by adding complexity and undermining economies of scale. Any planning policies that propose local energy efficiency standards for buildings that go beyond current or planned buildings regulation should be rejected at examination if they do not have a well-reasoned and robustly costed rationale that ensures:

- That development remains viable, and the impact on housing supply and affordability is considered in accordance with the National Planning Policy Framework.
- The additional requirement is expressed as a percentage uplift of a dwelling's Target Emissions Rate (TER) calculated using a specified version of the Standard Assessment Procedure (SAP).

The policy is also not expressed in such a way that complies with the second bullet.

Even if the policy is found sound, it must be applied flexibly where the applicant can demonstrate that meeting the higher standard is not technically feasible in relation to the availability of appropriate local infrastructure, in accordance with the WMS.

Part C: New homes to be designed to avoid temperature discomfort. Temperature discomfort is not defined.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Policy should be deleted.

Full name: Simon Coles

Organisation (where relevant): Carney Sweeney

Other party name (if relevant): C G Fry & Son Ltd

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC02

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: Part A requires compliance with the Future Homes Standard 2025 or successors or if not implemented, the Future Homes and Buildings Standards 2023.

The Written Ministerial Statement dated 13 December 2023 in respect of energy efficiency standards states that:

The improvement in standards already in force, alongside the ones which are due in 2025, demonstrates the Government's commitment to ensuring new properties have a much lower impact on the environment in the future. In this context, the Government does not expect plan-makers to set local energy efficiency standards for buildings that go beyond current or planned buildings regulations. The proliferation of multiple, local standards by local authority area can add further costs to building new homes by adding complexity and undermining economies of scale. Any planning policies that propose local energy efficiency standards for buildings that go beyond current or planned buildings regulation should be rejected at examination if they do not have a well-reasoned and robustly costed rationale that ensures:

- That development remains viable, and the impact on housing supply and affordability is considered in accordance with the National Planning Policy Framework.
- The additional requirement is expressed as a percentage uplift of a dwelling's Target Emissions Rate (TER) calculated using a specified version of the Standard Assessment Procedure (SAP).

Based on current experience the values put in the Three Dragons Viability Assessment for the additional costs associated with achieving Future Homes standards are too low. However more fundamentally as the government are still consulting on the various options for how Future Homes could be achieved it is impossible to properly cost achieving this at this time. As such the viability impacts of the policy cannot be tested as is required by the above WMS and so the policy should not be retained.

The Council should not seek to pre-empt national standards.

The policy is also not expressed in such a way that complies with the second bullet.

Even if the policy is found sound, it must be applied flexibly where the applicant can demonstrate that meeting the higher standard is not technically feasible in relation to the availability of appropriate local infrastructure, in accordance with the WMS.

Part C: New homes to be designed to avoid temperature discomfort. Temperature discomfort is not defined.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Policy should be deleted.

Full name: Simon Collier

Organisation (where relevant): Collier Planning

Other party name (if relevant): Eagle One MMIII Ltd

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC02

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: We write on behalf of Eagle Investments (SW) Ltd to make representations on the Local Plan Regulation 19 Publication Draft consultation with reference to land which it owns to the west of Hulham Road, Exmouth.

While the objective of seeking to achieve carbon neutrality is fully supported, it is important that the Council identifies and establishes the potential impacts of any proposed policy measures on the deliverability of development. We recommend that the Council produces evidence that can be consulted on which seeks to test the impacts of such a policy on the viability of development. This would help to inform a decision on when such requirements should come into force and what other measures (e.g. reduction in CIL) might need to be considered in order to help the development industry to achieve such policy goals without impacting negatively on the deliverability of projects. Any measures required by the Local Plan should be consistent with national policy on this matter and the Government's Future Homes Standard.

Full name: Simon Collier

Organisation (where relevant): Collier Planning

Other party name (if relevant): Eagle One MMIII Ltd

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC02

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: We write on behalf of Eagle Investments (SW) Ltd to make representations on the Local Plan Regulation 19 Publication Draft consultation with reference to land which it owns at St Johns, Exmouth, which is included as part of the draft allocation Exmo_20.

While the objective of seeking to achieve carbon neutrality is fully supported, it is important that the Council identifies and establishes the potential impacts of any proposed policy measures on the deliverability of development. We recommend that the Council produces evidence that can be consulted on which seeks to test the impacts of such a policy on the viability of development. This would help to inform a decision on when such requirements should come into force and what other measures (e.g. reduction in CIL) might need to be considered in order to help the development industry to achieve such policy goals without impacting negatively on the deliverability of projects. Any measures required by the Local Plan should be consistent with national policy on this matter and the Government's Future Homes Standard.

Full name: Simon Collier

Organisation (where relevant): Collier Planning

Other party name (if relevant): Eagle One MMIII Ltd

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC02

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: We write on behalf of Eagle Investments (SW) Ltd to make representations on the Local Plan Regulation 19 Publication Draft consultation with reference to land which it owns to the south of Hulham Road, Exmouth.

While the objective of seeking to achieve carbon neutrality is fully supported, it is important that the Council identifies and establishes the potential impacts of any proposed policy measures on the deliverability of development. We recommend that the Council produces evidence that can be consulted on which seeks to test the impacts of such a policy on the viability of development. This would help to inform a decision on when such requirements should come into force and what other measures (e.g. reduction in CIL) might need to be considered in order to help the development industry to achieve such policy goals without impacting negatively on the deliverability of projects. Any measures required by the Local Plan should be consistent with national policy on this matter and the Government's Future Homes Standard.

Full name: Stuart Houlet

Organisation (where relevant): PCL Planning Ltd

Other party name (if relevant): Waddeton Park Limited (Honiton)

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC02

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: This policy requires all new residential development to meet the Future Homes Standard 2025, or if this is not incorporated at the point of Plan adoption, meeting the draft standards (from the 2023 consultation). However, as the policy acknowledges, this is not yet confirmed and it is clear from the evidence base that the policy approach relies on the consultation draft of the Future Homes Standard. Given this will be controlled through Building Regulations in due course, we suggest the policy is in any case unnecessary as it duplicates forthcoming Building Regulation changes.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Policies CC01, CC02 and CC05 should be clarified to ensure that their requirements are clear in terms of triggers and flexibilities and do not duplicate other legislation better suited to implement objectives (i.e. Building Regulations). The Plan needs to be clear how any requirements can be achieved without raising deliverability or viability issues that may make the Plan ineffective.

Full name: Stuart Houlet

Organisation (where relevant): PCL Planning Ltd

Other party name (if relevant): Waddeton Park Limited (Honiton)

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC02

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: This policy requires all new residential development to meet the Future Homes Standard 2025, or if this is not incorporated at the point of Plan adoption, meeting the draft standards (from the 2023 consultation). However, as the policy acknowledges, this is not yet confirmed and it is clear from the evidence base that the policy approach relies on the consultation draft of the Future Homes Standard. Given this will be controlled through Building Regulations in due course, we suggest the policy is in any case unnecessary as it duplicates forthcoming Building Regulation changes.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Policies CC01, CC02 and CC05 should be clarified to ensure that their requirements are clear in terms of triggers and flexibilities and do not duplicate other legislation better suited to implement objectives (i.e. Building Regulations). The Plan needs to be clear how any requirements can be achieved without raising deliverability or viability issues that may make the Plan ineffective.

Full name: Stuart Houlet

Organisation (where relevant): PCL Planning Ltd

Other party name (if relevant): Waddeton Park Limited (Honiton)

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC02

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: [Submitted on behalf of Waddeton Park Limited (Honiton)]

This policy requires all new residential development to meet the Future Homes Standard 2025, or if this is not incorporated at the point of Plan adoption, meeting the draft standards (from the 2023 consultation). However, as the policy acknowledges, this is not yet confirmed and it is clear from the evidence base that the policy approach relies on the consultation draft of the Future Homes Standard. Given this will be controlled through Building Regulations in due course, we suggest the policy is in any case unnecessary as it duplicates forthcoming Building Regulation changes.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: The above policies should be clarified to ensure that their requirements are clear in terms of triggers and flexibilities and do not duplicate other legislation better suited to implement objectives (i.e. Building Regulations). The Plan needs to be clear how any requirements can be achieved without raising deliverability or viability issues that may make the Plan ineffective.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To elaborate on these and previous representations made on the Plan

Full name: Stuart Houlet

Organisation (where relevant): PCL Planning Ltd

Other party name (if relevant): Waddeton Park Limited (Honiton)

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC02

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: (PCL Planning on behalf of Waddeton Park Limited (Honiton)):

We have previously raised concerns regarding the emerging plan's focus on ambitious policies seeking Net Zero by 2040 and the impact this has on the viability of development. This challenging ambition needs to be grounded by the imperative to tackle fundamental need for housing across East Devon. We remain concerned that the Regulation 19 plan includes a number of 'Climate Change' policies which, in some instances, may negatively impact the ability to deliver much needed development in the District. It is important that policy approaches carefully consider and evidence their implications on the ability of the Plan to deliver sustainable development to meet local needs.

This policy requires all new residential development to meet the Future Homes Standard 2025, or if this is not incorporated at the point of Plan adoption, meeting the draft standards (from the 2023 consultation). However, as the policy acknowledges, this is not yet confirmed and it is clear from the evidence base that the policy approach relies on the consultation draft of the Future Homes Standard. Given this will be controlled through Building Regulations in due course, we suggest the policy is in any case unnecessary as it duplicates forthcoming Building Regulation changes.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: The [policy] should be clarified to ensure that [the] requirements are clear in terms of triggers and flexibilities and do not duplicate other legislation better suited to implement objectives (i.e. Building Regulations). The Plan needs to be clear how any requirements can be achieved without raising deliverability or viability issues that may make the Plan ineffective.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: in order to provide greater elaboration of the detail of these representations

Full name: Will Ridalls

Organisation (where relevant): PCL PLANNING LTD

Other party name (if relevant): Simon Stokes

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC02

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: This policy requires all new residential development to meet the Future Homes Standard 2025, or if this is not incorporated at the point of Plan adoption, meeting the draft standards (from the 2023 consultation). However, as the policy acknowledges, this is not yet confirmed and it is clear from the evidence base that the policy approach relies on the consultation draft of the Future Homes Standard. Given this will be controlled through Building Regulations in due course, we suggest the policy is in any case unnecessary as it duplicates forthcoming Building Regulation changes.

Full name: Lucy Tyrrell

Organisation (where relevant): Lymptstone Parish Council

Other party name (if relevant): -

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC02

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: The policy description contradicts the title. "All developments will be required to demonstrate... that minimising the carbon footprint of the proposed development has informed the design and layout..."
Minimisation is not the same as net-zero.

Full name: Harriet Fuller

Organisation (where relevant): Environment Agency

Other party name (if relevant): -

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC02

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: This policy focuses on the carbon footprints of the buildings going forward once in use but makes no mention of the construction materials and methodology itself? The embodied carbon policy will only apply to new developments where there are buildings already on site so for any greenfield developments, only CC02 applies in this regard and omits the carbon of construction.

Full name: Rachel Danemann

Organisation (where relevant): Home Builders Federation (HBF)

Other party name (if relevant): -

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC02

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: The policy is not considered to be sound as it is not positively prepared, effective, justified or consistent with national policy

68. It would appear that the Council have sought to move away from the carbon reduction methods set out in Part L of the Building Regulations. Whilst HBF is working through the Future Homes Hub to help ensure the Future Homes Standard is deliverable, there is a need to consider both the standard and the timing of its introduction. The Government's timescale for its introduction has been subject to considerable thought and discussion amongst key stakeholders including industry partners- house builders and their supply chains. HBF cannot support policies that seek to go further and faster than the results of the carefully considered and researched plans.

69. Therefore, although HBF supports the Council in seeking to minimise carbon emissions and reduce heat and power demand through energy efficient design we do not consider that the Council setting its own standards, or timeframe for the introduction of these standards is the appropriate method to achieve these outcomes. Whilst the ambitious and aspirational aim to achieve zero carbon is lauded, the HBF is concerned that the Council is adding to the complexity of policy, regulations and standards that housebuilders are already expected to comply with. The key to success is standardisation and avoidance of individual Councils specifying their own policy approach, which undermines economies of scale for product manufacturers, suppliers and developers.

70. HBF acknowledges that Section 19 (1A) of the Planning and Compulsory Purchase Act 2004 outlines that development plan documents must (taken as a whole) include policies designed to secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change. The NPPF looks for all plans to take a proactive approach to mitigating and adapting to climate change. However, PPG refers to the Planning and Energy Act 2008, the Deregulation Act 2015, and the Written Ministerial Statement (March 2015) and states that policies in relation to energy performance standards should not be used to set conditions on planning permissions with requirements above the equivalent of the energy requirement of Level 4 of the Code for Sustainable Homes.

71. The impact of this requirement along with others in this Plan may have considerable viability implication and may lead to the non-delivery homes and needs to be fully considered within the Viability Assessment.

72. HBF does not consider that the Council has provided the justification for why East Devon requires a policy above the requirements and/or timescales set out nationally in the building regulations requirements

Full name: Kim Miller

Organisation (where relevant): Historic England

Other party name (if relevant): -

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC02

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: As Policy CC02 applies to conversions, as well as to new build housing, it is important that the policy recognises that buildings of traditional construction (generally those built prior to 1919) perform differently to modern buildings. This may mean that it is not possible or appropriate to retrofit them in the same way, or to apply the same energy efficiency standards. It is not yet known how the Future Buildings and Homes Standard will apply to these buildings.

Where a building is also of historic interest, any alterations to the building would need to be balanced with the need to conserve and enhance the significance of the building, in line with national planning policy.

Historic England has a range of technical guidance in this area and has recently published a new Advice Note on Adapting Historic Buildings for Energy and Carbon Efficiency.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: We request that new provisions are added to the policy to recognise that a different approach may be needed for buildings of traditional construction and for heritage assets.

The supporting text could helpfully refer to Historic England guidance for further advice on this topic.

Full name: -

Organisation (where relevant): -

Other party name (if relevant): -

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC02

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: [Tetlow King Planning represents the South West Housing Association Planning Consortium (SWHAPC) which includes leading Housing Associations (HAs) across the South West.]

Chapter 6. Mitigating Climate Change, and Chapter 7. Adapting to Climate Change

The Housing Associations of the SWHAPC recognise the critical role that they play in ensuring that residents have safe, secure and efficient homes that are future proof. Promoting sustainable development is the core objective of the plan system and it is important that all new developments continue to support this aim. This was emphasised in the Written Ministerial Statement on energy efficiency and environmental standards from December 2023. However, we urge the Council to carefully consider how these policies might affect the viability of development, as they could potentially limit the availability of affordable housing in East Devon. Climate change policies should be carefully considered against Building Regulations and the Future Homes Standard 2025 to avoid duplication and any potential inconsistencies.

Full name: Peter Strouts

Organisation (where relevant): -

Other party name (if relevant): -

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC02

2. Do you consider that this part of the Mitigating Climate Change chapter is legally compliant?: No

2(a). If yes, and you wish to support the legal compliance of this part of the Mitigating Climate Change chapter, please use this box to set out your comments.: -

2(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not legally compliant. Please be as precise as possible. : Development sites should be considered where it is likely the residents could not need to own a car. There is no mention of reducing the use of the car. Locating near to work hubs, shops etc

2(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: -

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(a). If yes, and you wish to support the soundness of this part of the Mitigating Climate Change chapter, please use this box to set out your comments.: -

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: There is no mention of any sustainable solutions to the area, such as river and rail freight and encouraging this with developing hubs and networks.

No mention of sustainable materials. Or use of lime mortar rather than cement which dramatically reduces the carbon footprint of developments.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: -

4. Do you consider that this part of the Mitigating Climate Change chapter complies with the duty to cooperate?: -

4(a). If yes, and you wish to support this part of the Mitigating Climate Change chapter's compliance with the duty to co-operate, please use this box to set out your comments.: -

4(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter fails to comply with the duty to co-operate. Please be as precise as possible.: -

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: -

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: -

Full name: Jozie Bannister

Organisation (where relevant): Devonshire Homes

Other party name (if relevant): -

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC02

2. Do you consider that this part of the Mitigating Climate Change chapter is legally compliant?: Yes

2(a). If yes, and you wish to support the legal compliance of this part of the Mitigating Climate Change chapter, please use this box to set out your comments.: -

2(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not legally compliant. Please be as precise as possible. : -

2(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: -

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(a). If yes, and you wish to support the soundness of this part of the Mitigating Climate Change chapter, please use this box to set out your comments.: -

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: We have building regulations to govern just this, it does not need to be duplicated within planning policy. The aspiration for carbon net zero/Future Homes Standard is admirable but thought needs to be given to the feasibility and viability of residential developments if this becomes mandatory as it is affordable housing delivery that will be impacted. The likely impact of this policy is that housing delivery will be reduced and lower percentages of affordable homes will be delivered on viability grounds.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Net zero and Future Homes Standards are unnecessary and there should be a viability caveat. If not, and this could be a reason for an application to be refused, affordable housing will be reduced on viability grounds.

4. Do you consider that this part of the Mitigating Climate Change chapter complies with the duty to cooperate?: -

4(a). If yes, and you wish to support this part of the Mitigating Climate Change chapter's compliance with the duty to co-operate, please use this box to set out your comments.: -

4(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter fails to comply with the duty to co-operate. Please be as precise as possible.: -

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: -

Full name: richard ayre

Organisation (where relevant): baker estates

Other party name (if relevant): -

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC02

2. Do you consider that this part of the Mitigating Climate Change chapter is legally compliant?: No

2(a). If yes, and you wish to support the legal compliance of this part of the Mitigating Climate Change chapter, please use this box to set out your comments.: -

2(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not legally compliant. Please be as precise as possible. : It conflicts with national requirements.

2(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Deletion

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(a). If yes, and you wish to support the soundness of this part of the Mitigating Climate Change chapter, please use this box to set out your comments.: -

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: This is a general comment that applies to much of this chapter. National standards are being set along with a programme set by the Future Homes Standard. This is supported by more evidence and scrutiny than an individual local plan can ever have. It is not helpful and indeed counter productive for a local plan to set its own standards as a departure from the national requirements. This is also a continuously moving situation so anything in the local plan will become out of date very quickly. Developments should adhere to building regulations and national standards so this chapter is not necessary certainly in its current form to ensure a sound local plan. Local plans are best primarily to concern themselves with land allocation matters on a spatial basis rather than set individual standards or second guess the path of national policy requirements over a longer period.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your

suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Deletion

4. Do you consider that this part of the Mitigating Climate Change chapter complies with the duty to cooperate?: Yes

4(a). If yes, and you wish to support this part of the Mitigating Climate Change chapter's compliance with the duty to co-operate, please use this box to set out your comments.: -

4(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter fails to comply with the duty to co-operate. Please be as precise as possible.: -

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: It is fundamental to allowing developments to occur.

Full name: Sacha Pemberthy

Organisation (where relevant): -

Other party name (if relevant): -

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC02

2. Do you consider that this part of the Mitigating Climate Change chapter is legally compliant?: Yes

2(a). If yes, and you wish to support the legal compliance of this part of the Mitigating Climate Change chapter, please use this box to set out your comments.: -

2(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not legally compliant. Please be as precise as possible. : -

2(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: -

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(a). If yes, and you wish to support the soundness of this part of the Mitigating Climate Change chapter, please use this box to set out your comments.: -

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: Failing to require new housing to be built with solar panels and/or heat pumps is daft - it is much more cost effective to install at build stage than after and allowing plans to be approved without is simply letting developers cut costs and maximise profits at the expense of providing energy resilient homes.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Change CC02 paragraph B to say all new housing should be built to incorporate renewable energy generation from solar panels and/or heat pumps to deliver at least 80% of average energy usage

4. Do you consider that this part of the Mitigating Climate Change chapter complies with the duty to cooperate?: -

4(a). If yes, and you wish to support this part of the Mitigating Climate Change chapter's compliance with the duty to co-operate, please use this box to set out your comments.: -

4(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter fails to comply with the duty to co-operate. Please be as precise as possible.: -

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: -

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: -

Full name: Angie Hurren

Organisation (where relevant): Broadclyst Parish Council

Other party name (if relevant): -

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC02

3(a). If yes, and you wish to support the soundness of this part of the Mitigating Climate Change chapter, please use this box to set out your comments.: Net-Zero Carbon Development (Strategic Policy CC02)

The Local Plan commits to achieving net-zero carbon emissions in all new developments. This includes:

-

Requirements for high energy efficiency standards in construction (beyond current Building Regulations).

-

Promotion of zero-carbon energy sources, such as solar panels, air-source heat pumps, and district heating (Strategic Policy CC05).

-

Encouragement of low-embodied-carbon materials and local sourcing of construction materials (Policy CC06).

Full name: Sylvia Meller

Organisation (where relevant): -

Other party name (if relevant): -

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC02

2. Do you consider that this part of the Mitigating Climate Change chapter is legally compliant?: -

2(a). If yes, and you wish to support the legal compliance of this part of the Mitigating Climate Change chapter, please use this box to set out your comments.: -

2(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not legally compliant. Please be as precise as possible. : -

2(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: -

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(a). If yes, and you wish to support the soundness of this part of the Mitigating Climate Change chapter, please use this box to set out your comments.: -

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: In addition to the named requirements there are some additional ones that should be added

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: The additional requirements should be mandatory bird boxes, swift and bat friendly roofs, bug bricks, wildlife friendly outdoor lights, parking spaces to be build underground - for businesses as park houses and all outside parking to be fitted with solar panel roofs.

4. Do you consider that this part of the Mitigating Climate Change chapter complies with the duty to cooperate?: No

4(a). If yes, and you wish to support this part of the Mitigating Climate Change chapter's compliance with the duty to co-operate, please use this box to set out your comments.: -

4(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter fails to comply with the duty to co-operate. Please be as precise as possible.: See 3b and 3c

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: -

Full name: Dee Woods

Organisation (where relevant): Otter Valley Association

Other party name (if relevant): -

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC02

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: To be consistent with the Council's 2019 declaration of the climate emergency and target of achieving climate neutrality by 2040 and net zero developments, this Plan needs housing energy efficiency standards that are more ambitious than current building regulations. There should also be a strong presumption to have solar panels, heat pumps etc fitted as standard.

Full name: Harriet Fuller

Organisation (where relevant): Environment Agency

Other party name (if relevant): -

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC03

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: We are concerned that this policy fails to mention anything about controlled waters in terms of the sensitive receptors which may be impacted by the local environment, especially because geothermal and hydro (electric power) development are mentioned in para 6.6.

Point A of the policy should read:

“There are no significant adverse impacts on the environment that cannot be satisfactorily mitigated, including individual and cumulative landscape and visual impacts, as well as the character of wider historic townscapes, landscapes and seascapes; protected species, controlled waters/the water environment and sites of ecological/geological importance;”

This would not only capture risks to groundwater, and rivers and streams, but also the consideration of flood risks on site which are mapped as flood zone.

The policy refers to defined areas which may be suitable for wind energy development. There can be issues with pollution to groundwater associated with wind farm developments. A quick screening of each site (on the interactive map) shows the following aquifers at each location:

-

Higher Mallocks - Secondary A and B aquifers,

-

Woodbury - Secondary A and B aquifers,

-

Woodbury Salterton - Secondary undifferentiated and secondary B,

-

Poltimore sites - Secondary A, Principal aquifer (major vulnerability),

-

Moxley's Copse - Secondary A,

-

Spydon Cottages area - Secondary A,

- Paradise Copse- Secondary A and in a Source protection Zone,
- Wimple- Secondary A and Secondary B,
- Buckerell - Source Protection Zone and Secondary B aquifer,
- South of Broadhembury - Secondary B, secondary (undifferentiated), source protection zone,
- West of Broadhembury - Source Protection Sone, Secondary B,
- North of Beer - Principal aquifer,
- West of Colyford - Principal and unproductive,
- Hawkchurch - Secondary (undifferentiated) and unproductive aquifer,
- Chardstock - Principal.

In light of the sensitive receptors present, some of these sites may be unsuitable for wind energy development.

Full name: Christopher.Waldron

Organisation (where relevant): Ministry of Defence

Other party name (if relevant): -

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC03

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: I write to confirm the statutory safeguarding position of the Ministry of Defence (MOD) in relation to East Devon Council's Local Plan update (Regulation 19) consultation document.

The Defence Infrastructure Organisation (DIO) Safeguarding Team represents the MOD as a statutory consultee in the UK planning system to ensure designated zones around key operational defence sites such as aerodromes, explosives storage sites, air weapon ranges, and technical sites are not adversely affected by development outside the MOD estate.

For clarity, this response relates to MOD Safeguarding concerns only and should be read in conjunction with any other submissions that might be provided by other parts of the MOD.

Paragraph 102 of the National Planning Policy Framework (December 2024) requires that planning policies and decisions take into account defence requirements by 'ensuring that operational sites are not affected adversely by the impact of other development proposed in the area.' Statutory consultation of the MOD occurs as a result of the provisions of the Town and Country Planning (Safeguarded aerodromes, technical sites and military explosives storage areas) Direction 2002 (DfT/ODPM Circular 01/2003) and the location data and criteria set out on safeguarding maps issued to Local Planning Authorities by the Ministry of Housing, Communities & Local Government (MHCLG) in accordance with the provisions of that Direction.

Copies of these relevant plans, in both GIS shapefile and .pdf format are issued to Local Planning Authorities by MHCLG. An assurance review was conducted by the MOD in 2023 which confirmed that, at that time, Local Planning Authorities held the most recent relevant safeguarding data. Any subsequent updates to those plans were then issued by MHCLG. If there is a requirement for replacement data, a request can be made through the above email address.

The East Devon Council's Local Plan authority area contains a safeguarding zone that is designated to preserve the operation and capability of CTCRM Lympstone.

The review or drafting of planning policy provides an opportunity to better inform developers of the statutory requirement that MOD is consulted on development that triggers the criteria set out on Safeguarding Plans, and the constraints that might be applied to development as a result of the requirement to ensure defence capability and operations are not adversely affected.

To provide an illustration of the various issues that might be fundamental to MOD assessment carried out in response to statutory consultation, a brief summary of each of the safeguarding

zone types is provided below. Depending on the statutory safeguarding zone within which a site allocation or proposed development falls, different considerations will apply.

-

Statutory safeguarding zones are designated around Military explosives storage sites, to ensure that development and land uses will be compatible with MOD capability. Within these zones, where applicable, requirements relating to the siting, design, and construction of buildings, or changes to land use may apply. In principle, the MOD does not object to land in the outer explosives safeguarding zone being developed for residential, commercial, and industrial land use purposes. Any buildings within this zone must be 'non-vulnerable' to blast effects, that is of robust construction, so should an explosive event occur, the structure would not collapse or sustain damage that could cause critical injury to the occupants. Of particular concern within this zone are tall buildings (in excess of 3 storeys), light weight construction and large areas of glazing. The MOD will object to development proposals which support people living, working and congregating within the inner explosives safeguarding zone.

In addition to the safeguarding zones identified, the MOD may also have an interest where development is of a type likely to have any impact on operational capability. Usually this will be by virtue of the scale, height, or other physical property of a development. Examples these types of development include, but are not limited to:

-

Any development that would exceed a height of 50m above ground level. Both tall (of or exceeding a height of 50m above ground level) structures and wind turbine development introduce physical obstacles to low flying aircraft

-

Development, regardless of height, outside MOD safeguarding zones but in the vicinity of military training estate or property.

Within the Strategic Policy CC03: Promoting low carbon and renewable energy, the MOD notes the provision for Solar-Based and Wind-Based Energy Development. Section 6.6 identifies. "The policy promotes low carbon and renewable energy technologies, such as geothermal, hydro, wind, solar, and anaerobic digestion systems, to ensure a sustainable energy supply. It identifies suitable areas for solar and wind energy developments while protecting sensitive areas, ensuring minimal environmental impact"

The MOD has, in principle, no objection to any renewable energy development, though some infrastructure enabling renewable energy production, for example wind turbine generators or solar photo voltaic panels can, by virtue of their physical dimensions and properties, impact upon military aviation activities, cause obstruction to protected critical airspace surrounding military aerodromes, or impede the operation of safeguarded defence technical installations.

Where turbines are erected in line of sight to defence radars and other types of defence technical installations, the rotating motion of their blades can degrade and cause interference to the effective operation of these types of installations potentially resulting in detriment to aviation safety and operational capability. This potential is recognised in the Government's online Planning Practice Guidance which contains, within the Renewable and Low Carbon Energy section, specific guidance that both developers and Local Planning Authorities should

consult the MOD where a proposed turbine has a tip height of, or exceeding 11m, and/or has a rotor diameter of, or exceeding 2m.

Solar PV development which can impact on the operation and capability of communications and other technical assets by introducing substantial areas of metal or sources of electromagnetic interference. Depending on the location of development, solar panels may also produce glint and glare which can affect aircrew or air traffic controllers.

Additionally, it may be necessary in certain circumstances for MOD to require the removal of permitted development rights, where the use of these rights introduces elements that would not be compatible with MOD safeguarding requirements.

Full name: Kim Miller

Organisation (where relevant): Historic England

Other party name (if relevant): -

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC03

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: Historic England recognises that climate change is one of the most challenging issues of our time, with potential negative consequences for both people and heritage. While we support the promotion of renewable energy, we have significant concerns regarding the lack of historic environment evidence underpinning the proposed 'Areas Considered Suitable for Wind Energy'.

NPPF paragraph 160 states that plans should 'b) consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure their development'. However, we note that under the new NPPF decision-making framework introduced in 2024, the fact that suitable areas have not been identified would not prevent schemes from gaining consent. This is because footnote 58 of the NPPF December 2023, which had the effect of restricting new wind proposals to areas identified as suitable, has been removed.

Given that the locations identified in East Devon would require developers to consider schemes on small, discrete areas, not unlike a site allocation, we are concerned that the plan is not accompanied by adequate evidence to demonstrate that these sites are suitable for wind energy. Planning Practice Guidance for Renewable and low carbon energy states that when considering locations, local planning authorities will need to consider (amongst other things) 'the potential impacts on the local environment, including from cumulative impacts'. However, the identified areas in East Devon are not supported by any evidence of potential setting impacts. For example, considering only those locations in the far northwest of the plan area, there appears to be potential for significant adverse impacts on the settings of highly graded assets including grade II* Pynes House and grade II* Poltimore House.

The Sustainability Appraisal suggests Policy CC03 would result in positive effects on topics such as landscape and the historic environment.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: We request that the proposed suitable areas are removed from the Policies Map and that the policy wording is amended to require robust assessment on a case by case basis of landscape and heritage impacts.

The policy could be amended as follows:

“A. There are no significant adverse impacts on the local environment that cannot be satisfactorily mitigated, including individual and cumulative harm to designated and non-designated heritage assets including from impacts on their settings, landscape and visual impacts, as well as the character of wider historic townscapes, landscapes and seascapes; protected species and sites of ecological/geological importance;”

...

“Proposals for wind farms should be accompanied by a Heritage Impact Assessment and a Landscape and Visual Impact Assessment supported by visualisations will only be allowed in defined areas as shown on the Policies Map. Domestic and other small-scale wind turbines will be preferred...”

Full name: Helene Jessop

Organisation (where relevant): RSPB

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:

Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC03

3(a). If yes, and you wish to support the soundness of this part of the Mitigating Climate Change chapter, please use this box to set out your comments.: The RSPB supports low carbon and renewable energy generation and storage as part of addressing the climate crisis. However, there need to be sufficient safeguards to ensure that, as para A of the policy states, there are not significant adverse impacts on protected species and sites of ecological importance.

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: With particular reference to nightjar, the RSPB is concerned that proposals for wind or solar farms within 6km of the East Devon Heaths SPA might proceed without adequate assessment to determine if the sites have any existing value as foraging habitat for nightjar (ie, that they may be functionally linked habitat). As nightjar are crepuscular, usage by this species would not likely be detected by the normal daytime ecological assessments for such developments.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: The RSPB recommends that this policy specifically references the need to carry out an appropriate level of ecological assessment of sites to determine if they are used by species that are part of the designated features of protected sites. For example, nightjar can forage up to 6km from their nesting sites, which means nightjars breeding on the protected East Devon Heaths SPA can be reliant on some land off the heaths for feeding. If wind farm or solar farm proposals come forward on land within 6km of the heaths, they require assessment for potential value for foraging nightjar. The RSPB recommends proposals for such developments await the results of the 2025 national heathland breeding bird survey (nightjar, Dartford warbler and woodlark) as they will help inform site assessments.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: The RSPB wishes to ensure that this policy recognises the need to ensure any proposed sites for wind or solar farms within 6km of the East Devon Heaths SPA are assessed to determine if nightjar foraging use is likely, which, if so, would lead to more detailed surveys.

Full name: Angie Hurren

Organisation (where relevant): Broadclyst Parish Council

Other party name (if relevant): -

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC03

3(a). If yes, and you wish to support the soundness of this part of the Mitigating Climate Change chapter, please use this box to set out your comments.: Low-Carbon and Renewable Energy (Strategic Policy CC03 & Broadclyst DC6)

-

The plan prioritises renewable energy generation, with a focus on solar farms, onshore wind projects, and battery storage.

-

The Broadclyst Neighbourhood Plan (Policy DC6) supports community-led renewable energy projects, ensuring energy security and affordability.

-

New developments must incorporate passive solar design and low-energy building techniques

Full name: Robert Maynard

Organisation (where relevant): -

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:

Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC03

2. Do you consider that this part of the Mitigating Climate Change chapter is legally compliant?: No

2(a). If yes, and you wish to support the legal compliance of this part of the Mitigating Climate Change chapter, please use this box to set out your comments.: -

2(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not legally compliant. Please be as precise as possible. : 1. Introduction

I would like to bring to your attention that Strategic Policy CC03: Promoting low carbon and renewable energy in National Landscape and undeveloped coasts is not legally compliant.

2. Background Information

Strategic Policy CC03: Promoting low carbon and renewable energy states:

“Proposals for low carbon and renewable energy generating and storage schemes within the district will be supported in the context of sustainable development and climate change, provided that:

A. There are no significant adverse impacts on the local environment that cannot be satisfactorily mitigated, including individual and cumulative landscape and visual impacts, as well as the character of wider historic townscapes, landscapes and seascapes; protected species and sites of ecological/geological importance;

B. Any farmland that is used allows for the continuation on the site for some form of appropriate agricultural activity or bio-diversity use proportionate to the scale of

the proposal; and

C. Appropriate plans and a mechanism are in place for the removal of the technology on cessation of energy generation/ storage, and restoration of the site to its original use or an acceptable alternative use.

Development located within or affecting the setting of National Landscapes and the undeveloped coast, unless visual and other adverse impacts can be shown to be minimal or nil, will only be permitted where evidence shows that exceptional circumstances exist to justify development. Such development should be, where acceptable, small scale giving due regard to the natural beauty of these areas.

Proposals for wind farms will only be allowed in defined areas as shown on the Policies Map. Domestic and other small-scale wind turbines will be preferred. Planning permission for fossil fuel electricity or other energy generation will only be granted where there is a clear and compelling need for the project that addresses a recognisable system failure, and all viable renewable energy options, including energy storage solutions, must be thoroughly explored and deemed unsuitable for fossil fuels schemes to progress.

This policy applies across the whole local plan area including the Cranbrook Plan area.”

3. Objections

Objection 1: Object to the 5th paragraph of Strategic Policy CCO3: Promoting low-carbon renewable energy generation and storage schemes in National Landscapes and undeveloped coasts is not legally compliant..

Development located within National Landscapes and undeveloped coast/CPA should be determined in accordance with:

- a) Strategic Policy OL02 - National Landscape to protect the landscape and scenic beauty and
- b) Strategic Policy OL03 - Coastal Preservation Area to protect the finite undeveloped coast from development.

The wording of Strategic Policy CC03 should be amended.

Objection 2: Object to proposals for wind farms in defined areas, within National Landscapes and Coastal Preservation Areas, shown on the Policies Map. These defined areas do not comply with national policies that prioritise environmental protection. While wind farm proposals are possible, they must demonstrate minimal adverse effects on these sensitive areas to comply with national policy.

Wind farm development located within National Landscapes and undeveloped coast/CPA should be determined in accordance with:

- a) Strategic Policy OL02 - National Landscape to protect the landscape and scenic beauty and
- b) Strategic Policy OL03 - Coastal Preservation Area to protect the finite undeveloped coast from development.

The areas defined for wind farms within National Landscapes and Coastal Preservation Areas should be deleted from the Policies Map.

2(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Recommendation 1:

Promoting proposals for low-carbon and renewable energy generating and storage schemes should be considered in accordance with Strategic Policy CC03 National Landscapes and Strategic Policy OL03 Coastal Preservation Area.

The 5th paragraph in Strategic Policy CC03 should be reworded as follows:

“Low carbon and renewable energy development and wind farms located within or affecting the setting of National Landscapes and the undeveloped coast/Coastal Preservation Area will be determined in accordance with Strategic Policy CC03 National Landscapes and Strategic Policy OL03 Coastal Preservation Area.”

Recommendation 2:

The areas defined for wind farms within National Landscapes and Coastal Preservation Areas should be deleted from the Policies Map.

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(a). If yes, and you wish to support the soundness of this part of the Mitigating Climate Change chapter, please use this box to set out your comments.: -

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: 1. Introduction

I would like to bring to your attention that Strategic Policy CC03: Promoting low carbon and renewable energy in National Landscape and undeveloped coasts is not sound.

2. Background Information

Strategic Policy CC03: Promoting low carbon and renewable energy states:

“Proposals for low carbon and renewable energy generating and storage schemes within the district will be supported in the context of sustainable development and climate change, provided that:

A. There are no significant adverse impacts on the local environment that cannot be satisfactorily mitigated, including individual and cumulative landscape and visual impacts, as well as the character of wider historic townscapes, landscapes and seascapes; protected species and sites of ecological/geological importance;

B. Any farmland that is used allows for the continuation on the site for some form of appropriate agricultural activity or bio-diversity use proportionate to the scale of

the proposal; and

C. Appropriate plans and a mechanism are in place for the removal of the technology on cessation of energy generation/ storage, and restoration of the site to its original use or an acceptable alternative use.

Development located within or affecting the setting of National Landscapes and the undeveloped coast, unless visual and other adverse impacts can be shown to be minimal or nil, will only be permitted where evidence shows that exceptional circumstances exist to justify development. Such development should be, where acceptable, small scale giving due regard to the natural beauty of these areas.

Proposals for wind farms will only be allowed in defined areas as shown on the Policies Map. Domestic and other small-scale wind turbines will be preferred. Planning permission for fossil fuel electricity or other energy generation will only be granted where there is a clear and compelling need for the project that addresses a recognisable system failure, and all viable renewable energy options, including energy storage solutions, must be thoroughly explored and deemed unsuitable for fossil fuels schemes to progress.

This policy applies across the whole local plan area including the Cranbrook Plan area.”

3. Objections

Objection 1: Object to the 5th paragraph of Strategic Policy CCO3: Promoting low-carbon renewable energy generation and storage schemes in National Landscapes and undeveloped coasts is unsound.

Development located within National Landscapes and undeveloped coast/CPA should be determined in accordance with:

- a) Strategic Policy OL02 - National Landscape to protect the landscape and scenic beauty and
- b) Strategic Policy OL03 - Coastal Preservation Area to protect the finite undeveloped coast from development.

The wording of Strategic Policy CC03 should be amended.

Objection 2: Object to proposals for wind farms in defined areas, within National Landscapes and Coastal Preservation Areas, shown on the Policies Map. These defined areas do not comply with national policies that prioritise environmental protection. While wind farm proposals are

possible, they must demonstrate minimal adverse effects on these sensitive areas to comply with national policy.

Wind farm development located within National Landscapes and undeveloped coast/CPA should be determined in accordance with:

- a) Strategic Policy OL02 - National Landscape to protect the landscape and scenic beauty and
- b) Strategic Policy OL03 - Coastal Preservation Area to protect the finite undeveloped coast from development.

The areas defined for wind farms within National Landscapes and Coastal Preservation Areas should be deleted from the Policies Map.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Recommendation 1:

Promoting proposals for low-carbon and renewable energy generating and storage schemes should be considered in accordance with Strategic Policy CC03 National Landscapes and Strategic Policy OL03 Coastal Preservation Area.

The 5th paragraph in Strategic Policy CC03 should be reworded as follows:

“Low carbon and renewable energy development and wind farms located within or affecting the setting of National Landscapes and the undeveloped coast/Coastal Preservation Area will be determined in accordance with Strategic Policy CC03 National Landscapes and Strategic Policy OL03 Coastal Preservation Area.”

Recommendation 2:

The areas defined for wind farms within National Landscapes and Coastal Preservation Areas should be deleted from the Policies Map.

4. Do you consider that this part of the Mitigating Climate Change chapter complies with the duty to cooperate?: -

4(a). If yes, and you wish to support this part of the Mitigating Climate Change chapter's compliance with the duty to co-operate, please use this box to set out your comments.: -

4(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter fails to comply with the duty to co-operate. Please be as precise as possible.: -

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: -

Full name: Harriet Fuller

Organisation (where relevant): Environment Agency

Other party name (if relevant): -

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC04

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: Policy CC04 paragraph one needs to be linked to, and caveated by, paragraph 2. As currently within the policy wording at paragraph 1 it simply says: 'planning permission will be granted'.

CC04 Para 6.10 we welcome the advice regarding fire safety and BESS, but would ask that the supporting information emphasises the need for environmental protection of the ground and controlled waters must be built into the scheme in order to contain any on-site water resulting from fire control. This is alluded to within the National Fire Chiefs Council Guidance but is not strong enough.

Full name: Devon Wildlife Trust (planning)

Organisation (where relevant): Devon Wildlife Trust

Other party name (if relevant): -

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC04

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: This policy should be reworded to include reference to the requirement for enhancement of our natural environment.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: This policy should be reworded to include reference to the requirement for enhancement of our natural environment.

Full name: Bethan Haigh

Organisation (where relevant): Boyer Planning

Other party name (if relevant): Vistry Group

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC05

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: We object to this policy which is not justified or supported by sufficient robust evidence.

Strategic Policy CC05 proposes that all major developments within 1km of an existing heat network be connected or provide a new heat network for proposals over 1,200 homes where no heat network currently exists. The proposals at Addlepool Farm fall below the threshold of 1,200 dwellings and therefore it is not anticipated that a heat network would be required to be delivered as part of this site.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Notwithstanding this, further work is also needed to demonstrate that a heat network can be secured at an affordable price that would benefit from the same safeguarding as a domestic supply. As present, the ability to access heat networks is outside of the control of the developer/landowner and this Draft LP policy should be removed.

Full name: Bethan Haigh

Organisation (where relevant): Boyer Planning

Other party name (if relevant): Taylor Wimpey UK Ltd. C/O Boyer

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC05

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: 2.66 We consider that this policy is not justified and is unsound.

2.67 Strategic Policy CC05 proposes that all major developments within 1km of an existing heat network be connected, or provide a new heat network for proposals over 1,200 homes where no heat network currently exists. It is understood that Honiton does not, at present, benefit from a heat network. The allocations proposed at Honiton (including Land off Northcote Road (site references - GH/ED/39a and GH/ED/39b)) fall below the threshold of 1,200 homes and therefore it is not anticipated that a heat network would be required to be delivered as part of any of these allocations.

2.68 Further work is also needed to demonstrate that a heat network can be secured at an affordable price that would benefit from the same safeguarding as a domestic supply. As present, the ability to access heat networks is outside of the control of the developer/landowner and this Draft LP policy should be removed.

Full name: Jemma Shorrocks

Organisation (where relevant): Boyer Planning

Other party name (if relevant): Persimmon Homes South West Limited

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC05

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: Strategic Policy CC05 requires "For all major developments proposed within 1km of an existing heat network connection to the existing heat network should be provided".

As currently worded, Strategic Policy CC05 is unjustified and unsound for the following reasons:

- There is no flexibility within the policy when considering on a case-by-case basis if achieving a connection is feasible;
- Further information is required regarding where the existing heat networks are located within East Devon to ensure there is clarity on networks and connectivity requirements. The draft policy map does not currently include heat network areas.

As the ability to access heat networks is currently outside of the control of the landowner and developer, further work is required to demonstrate that the heat network can be secured at an affordable price, whilst benefiting from the same safeguarding as a domestic supply.

As land at east Axminster will deliver up to 100 homes, it is not anticipated that a heat network would be delivered as part of the development.

Full name: Jess Perminter

Organisation (where relevant): Carney Sweeney

Other party name (if relevant): CR Down Farming Ltd and Stuart Partners Ltd

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC05

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: While heat networks are recognised as a key element of the Council's sustainability approach the feasibility / viability of providing such connections needs to be properly recognised with not too high a bar set for such connections not being provided.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Replace significantly undermines commercial viability of development with unviable.

Full name: Neil Mantell

Organisation (where relevant): LRM Planning

Other party name (if relevant): The Cherwell Group

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC05

2. Do you consider that this part of the Mitigating Climate Change chapter is legally compliant?: Yes

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: The Cherwell Group objects to Strategic Policy CC05. Their concerns are as follows:

The major heat network within East Devon is the Cranbrook district heat network, which will, in the future, switch from a gas system, to using residual heat from an energy to waste site, which is, for a number of proposed allocations, including the new community, located within 1km. As

such, the Policy would expect them, unless it is not technically achievable or undermines commercial viability, to connect into the system. However, the Energy Assessment Guidance (2022) published by the GLA [<https://www.london.gov.uk/programmes-strategies/planning/planning-applications-and-decisions/pre-planning-application-meeting-service/energy-planning-guidance>] indicates that a connection to existing heat networks should only be encouraged where the energy source can be considered low carbon (e.g. heat pumps), or where a decarbonisation plan is in place and a programme for implementation is confirmed.

Connections to a third generation heat network that utilises plant such as combined heat and power has demonstrated to result in increased emissions in comparison to onsite heat pump strategies under current Part L 2021 assessments. Therefore, the requirement to connect to such

a network would conflict with Policy CC02, which seeks to minimise the carbon footprint of a development. The existing Cranbrook network, which utilises combined heat and power for a portion of the heat generation, would therefore have higher associated carbon emissions than those used within the Part L notional building, which could cause a risk of non-compliance with Part L.

As can, at the present time, be demonstrated with reference to the Cranbrook Expansion Areas, the connection charge to an existing district heat network is considerably higher (double), that of an onsite heat pump solution. Viability will undoubtedly be a key consideration for strategic allocations, including the new community as the Plan evolves, noting that for the Plan to be deliverable and therefore effective, it will need to be a viable proposition.

Heat networks can result in transitional losses across the extended pipework in comparison to onsite/building level solutions, which can impact performance.

Given the analysis presented above, the emerging Policy is not justified or effective.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: SUGGESTED CHANGE

The Policy should be reworded as follows:

"Proposals above 1,200 homes or 10 ha of commercial floor space, if not connecting into an existing heat network will be required to provide their own network, unless it is demonstrated to be technically not achievable or significantly undermines..."

4. Do you consider that this part of the Mitigating Climate Change chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Due to the significant policy issues concerned.

Full name: Owen Jones

Organisation (where relevant): LRM Planning

Other party name (if relevant): David Wilson Homes

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC05

2. Do you consider that this part of the Mitigating Climate Change chapter is legally compliant?: Yes

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: STRATEGIC POLICY CC05 – HEAT NETWORKS

9.27 DWH objects to Strategic Policy CC05. Their concerns are as follows:

? The major heat network within East Devon is the Cranbrook district heat network, which will, in

the future, switch from a gas system, to using residual heat from an energy to waste site, which is, for a number of proposed allocations, including the new community, located within 1km. As such, the Policy would expect them, unless it is not technically achievable or undermines

EAST DEVON LOCAL PLAN PUBLICATION DRAFT CONSULTATION 49

commercial viability, to connect into the system. However, the Energy Assessment Guidance (2022) published by the GLA25 indicates that a connection to existing heat networks should only

be encouraged where the energy source can be considered low carbon (e.g. heat pumps), or where a decarbonisation plan is in place and a programme for implementation is confirmed.

Connections to a third generation heat network that utilises plant such as combined heat and power has demonstrated to result in increased emissions in comparison to onsite heat pump strategies under current Part L 2021 assessments. Therefore, the requirement to connect to such

a network would conflict with Policy CC02, which seeks to minimise the carbon footprint of a development. The existing Cranbrook network, which utilises combined heat and power for a portion of the heat generation, would therefore have higher associated carbon emissions than those used within the Part L notional building, which could cause a risk of non-compliance with

Part L.

? As can, at the present time, be demonstrated with reference to the Cranbrook Expansion Areas,

the connection charge to an existing district heat network is considerably higher (double), that of

an onsite heat pump solution. Viability will undoubtedly be a key consideration for strategic allocations, including the new community as the Plan evolves, noting that for the Plan to be deliverable and therefore effective, it will need to be a viable proposition.

? Heat networks can result in transitional losses across the extended pipework in comparison to onsite/building level solutions, which can impact performance.

9.28 Given the analysis presented above, the emerging Policy is not justified or effective.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Suggested changes

9.29 The Policy should be reworded as follows:

“For all major developments proposed within 1km of an existing heat network connection to the existing heat network should be provided.

When the connection is deemed undeliverable, evidence should be submitted to the planning authority's satisfaction to demonstrate why connections cannot be reasonably achieved. If the connection from the point of occupation cannot be provided, the development will be expected to

incorporate, where feasible, infrastructure for future connection to the Heat Networks.

9.30 In addition, Proposals above 1,200 homes or 10 ha of commercial floor space, if not connecting into

an existing heat network will be required to provide their own

4. Do you consider that this part of the Mitigating Climate Change chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Due to the significant policy issues concerned.

Full name: Simon Coles

Organisation (where relevant): Carney Sweeney

Other party name (if relevant): C R Down Farming Ltd and Stuart Partners Ltd

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC05

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: CarneySweeney acts for CR Down Farming Ltd and Stuart Partners Ltd in connection with land south of A3052 and east of A376, Clyst St Mary, East Devon.

While heat networks are recognised as a key element of the Council's sustainability approach the feasibility / viability of providing such connections needs to be properly recognised with not too high a bar set for such connections not being provided.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Replace 'significantly undermines commercial viability of development' with 'unviable'.

Full name: Stuart Houlet

Organisation (where relevant): PCL Planning Ltd

Other party name (if relevant): Waddeton Park Limited (Honiton)

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC05

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: This policy requires all major development within 1km of an existing heat network connection to provide a connection. Furthermore, developments over 1,200 homes will be required to provide their own. Whilst a policy that supports making these provisions could be supported, the use of the word should indicates limited flexibility (albeit, it is understood it is not a requirement). Connections to these networks can introduce an undue financial burden on developers, and introducing such stringent requirements could challenge viability, and cause delivery delays.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Policies CC01, CC02 and CC05 should be clarified to ensure that their requirements are clear in terms of triggers and flexibilities and do not duplicate other legislation better suited to implement objectives (i.e. Building Regulations). The Plan needs to be clear how any requirements can be achieved without raising deliverability or viability issues that may make the Plan ineffective.

Full name: Stuart Houlet

Organisation (where relevant): PCL Planning Ltd

Other party name (if relevant): Waddeton Park Limited (Honiton)

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC05

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: This policy requires all major development within 1km of an existing heat network connection to provide a connection. Furthermore, developments over 1,200 homes will be required to provide their own. Whilst a policy that supports making these provisions could be supported, the use of the word should indicates limited flexibility (albeit, it is understood it is not a requirement). Connections to these networks can introduce an undue financial burden on developers, and introducing such stringent requirements could challenge viability, and cause delivery delays.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Policies CC01, CC02 and CC05 should be clarified to ensure that their requirements are clear in terms of triggers and flexibilities and do not duplicate other legislation better suited to implement objectives (i.e. Building Regulations). The Plan needs to be clear how any requirements can be achieved without raising deliverability or viability issues that may make the Plan ineffective.

Full name: Stuart Houlet

Organisation (where relevant): PCL Planning Ltd

Other party name (if relevant): Waddeton Park Limited (Honiton)

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC05

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: [Submitted on behalf of Waddeton Park Limited (Honiton)]

This policy requires all major development within 1km of an existing heat network connection to provide a connection. Furthermore, developments over 1,200 homes will be required to provide their own. Whilst a policy that supports making these provisions could be supported, the use of the word should indicates limited flexibility (albeit, it is understood it is not a requirement). Connections to these networks can introduce an undue financial burden on developers, and introducing such stringent requirements could challenge viability, and cause delivery delays.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: The above policies should be clarified to ensure that their requirements are clear in terms of triggers and flexibilities and do not duplicate other legislation better suited to implement objectives (i.e. Building Regulations). The Plan needs to be clear how any requirements can be achieved without raising deliverability or viability issues that may make the Plan ineffective.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To elaborate on these and previous representations made on the Plan

Full name: Stuart Houlet

Organisation (where relevant): PCL Planning Ltd

Other party name (if relevant): Waddeton Park Limited (Honiton)

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC05

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(a). If yes, and you wish to support the soundness of this part of the Mitigating Climate Change chapter, please use this box to set out your comments.: -

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: (PCL Planning on behalf of Waddeton Park Limited (Honiton)):

We have previously raised concerns regarding the emerging plan's focus on ambitious policies seeking Net Zero by 2040 and the impact this has on the viability of development. This challenging ambition needs to be grounded by the imperative to tackle fundamental need for housing across East Devon. We remain concerned that the Regulation 19 plan includes a number of 'Climate Change' policies which, in some instances, may negatively impact the ability to deliver much needed development in the District. It is important that policy approaches carefully consider and evidence their implications on the ability of the Plan to deliver sustainable development to meet local needs.

This policy requires all major development within 1km of an existing heat network connection to provide a connection. Furthermore, developments over 1,200 homes will be required to provide their own. Whilst a policy that supports making these provisions could be supported, the use of the word should indicates limited flexibility (albeit, it is understood it is not a requirement). Connections to these networks can introduce an undue financial burden on developers, and introducing such stringent requirements could challenge viability, and cause delivery delays.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: The [policy] should be clarified to ensure that their requirements are clear in terms of triggers and flexibilities and do not duplicate other legislation better suited to implement objectives (i.e. Building Regulations). The Plan needs to be clear how any requirements can be achieved without raising deliverability or viability issues that may make the Plan ineffective.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: in order to provide greater elaboration of the detail of these representations

Full name: Will Ridalls

Organisation (where relevant): PCL PLANNING LTD

Other party name (if relevant): Simon Stokes

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC05

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: This policy requires all major development within 1km of an existing heat network connection to provide a connection. Furthermore, developments over 1,200 homes will be required to provide their own. Whilst a policy that supports making these provisions could be supported, the use of the word should indicate limited flexibility (albeit, it is understood it is not a requirement). Connections to these networks can introduce an undue financial burden on developers, and introducing such stringent requirements could challenge viability, and cause delivery delays.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: The above policies should be clarified to ensure that their requirements are clear in terms of triggers and flexibilities and do not duplicate other legislation better

10

Also at: 9 Western Road, Launceston, Cornwall, PL15 7AR t: +44 (0)1566 977000

The Keep, Creech Castle, Taunton, TA1 2DX t: +44 (0)1823 577998

Registered Office: 1A Parliament Square, Parliament Street, Crediton, Devon, EX17 2AW

Registered in England and Wales No. 8300933 VAT No. 923955793

suited to implement objectives (i.e. Building Regulations). The Plan needs to be clear how any requirements can be achieved without raising deliverability or viability issues that may make the Plan ineffective.

Full name: Harriet Fuller

Organisation (where relevant): Environment Agency

Other party name (if relevant): -

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC05

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: We suggest for sentence one and two that, 'should' be replaced by 'will' or 'must' be provided/submitted.

Full name: Rachel Danemann

Organisation (where relevant): Home Builders Federation (HBF)

Other party name (if relevant): -

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC05

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: The policy is not considered to be sound as it is not positively prepared, effective, justified or consistent with national policy

73. Heat networks are one aspect of the path towards decarbonising heat, however currently the pre-dominant technology for district-sized communal heating networks is gas combined heat and power (CHP) plants. Over 90% of district networks are gas fired. As 2050 approaches, meeting the Government's climate target of reducing greenhouse gas emissions to net zero will require a transition from gas-fired networks to renewable or low carbon alternatives such as large heat pumps, hydrogen or waste-heat recovery but at the moment one of the major reasons why heat network projects do not install such technologies is because of the up-front capital cost. The Council should be aware that for the foreseeable future it will remain uneconomic for most heat networks to install low-carbon technologies.

74. Furthermore, some heat network consumers do not have comparable levels of satisfaction as consumers on gas and electricity networks, and they pay a higher price. Currently, there are no sector specific protections for heat network consumers, unlike for people on other utilities such as gas, electricity or water. A consumer living in a building serviced by a heat network does not have the same opportunities to switch supplier as they would for most gas and electricity supplies. All heat network domestic consumers should have ready access to information about their heat network, a good quality of service, fair and transparently priced heating and a redress option should things go wrong. Research by the Competition and Markets Authority (CMA) found that a significant proportion of suppliers and managing agents do not provide pre-transaction documents, or what is provided contains limited information, particularly on the on-going costs of heat networks and poor transparency regarding heating bills, including their calculation, limits consumers' ability to challenge their heat suppliers reinforcing a perception that prices are unjustified. The monopolistic nature of heat networks means that future price regulation is required to protect domestic consumers.

75. The CMA have concluded that "a statutory framework should be set up that underpins the regulation of all heat networks." They recommended that "the regulatory framework should be designed to ensure that all heat network customers are adequately protected. At a

minimum, they should be given a comparable level of protection to gas and electricity in the regulated energy sector.” The Government’s latest consultation on heating networks proposes a regulatory framework that would give Ofgem oversight and enforcement powers across quality of service, provision of information and pricing arrangements for all domestic heat network consumers. The policy requirement should therefore be deleted. Therefore, HBF do not believe this policy requirement is justified, and it would not be effective, it should therefore be deleted.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

76. To be consistent with national policy, HBF request the Council rely on the Building Regulations process as the way to manage improving energy efficiency standards and as such no policy on this issue is needed in the Local Plan. HBF considers it would be appropriate to make reference to the Future Homes Standard and the Building Regulations as the appropriate standards for development. The Council will also be aware that the Future Homes and Buildings Standards: 2023 consultation covered Part L (conservation of fuel and power), Part F (ventilation) and Part O (overheating).

Full name: Devon Wildlife Trust (planning)

Organisation (where relevant): Devon Wildlife Trust

Other party name (if relevant): -

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC05

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: This policy should be reworded to include reference to the requirement for enhancement of our natural environment.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: This policy should be reworded to include reference to the requirement for enhancement of our natural environment.

Full name: Alan Williams

Organisation (where relevant): Grass Roots Planning

Other party name (if relevant): South West Strategic Developments Ltd

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC06

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: Strategic Policy CC06 relates to embodied carbon. It states that major development will be required to undertake an embodied carbon assessment, submitted as part of the Sustainability Statement through a nationally recognised Whole Life Cycle Carbon Assessment procedure.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: We have no issue in principle with this policy, but it is considered that the wording should set out when this needs to be undertaken – the outline planning application stage seems too early to carry out this level of assessment, and it would be more beneficial being undertaken at the reserved matters/detailed stage when the specific credentials of the development and exact information are known, rather than simply having a validation requirement that adds little to the matters for determination.

Full name: Alex Munday

Organisation (where relevant): Kitchener Land and Planning

Other party name (if relevant): Mr Lillie and Ms Blundell

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC06

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: Alexander Munday of Kitchener Land and Planning (KLP) on behalf of Mr Lillie and Mrs Blundell

Whilst we support the Council's ambitions for reducing carbon emissions, we do not consider that

this draft Policy is justified or consistent with national policy.

There are currently significant gaps for collecting data and measuring whole life carbon consistently and comparatively. As a result, the Future Homes Hub have prepared a roadmap for

the development of an industry-led approach for reducing embodied and whole life carbon in new homes which is expected to be aligned with emerging national Government policy. This will include a Future Homes Carbon Assessment Tool.

There are also issues with including assessment of carbon as part of the planning process, given the highly technical nature of the process, which much more naturally aligns with Building Regulations.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Given the Government's position on setting standards at a national level, we do not believe this draft Policy aligns with national policy, nor is the need for it justified. As such, it should be removed in full to achieve soundness.

Full name: Bethan Haigh

Organisation (where relevant): Boyer Planning

Other party name (if relevant): Vistry Group

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC06

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: We have two key concerns regarding this policy:

1. The assumption that applications at each stage can be supported by an embodied carbon assessment submitted via a Whole Life Carbon Cycle Assessment (WLCCA) procedure; and

2. Viability Assumptions.

These are discussed in turn below.

PREPARATION OF A WHOLE LIFE CARBON CYCLE ASSESSMENT (WLCCA)

This policy is underpinned by two pieces of evidence including CCF-018 - Whole Life Carbon Assessment for the Built Environment (2nd Ed.) and CCF-024 - RICS Whole Life Carbon Assessment for the Built Environment (1st Edition - 2017). Both documents confirm the methodology and requirements for preparing a WLCCA. The reporting table requires significant amounts of information relating to the proposed development including GIA, Facilitating Works, Substructure, Finishes, Fixtures and Fittings.

VIABILITY ASSUMPTION

It is also noted that the Draft LP Viability Assessment (Core Submission Document CSD-004), makes no allowance for this policy requirement, confirming that the need to prepare an embodied carbon assessment is considered to fall within the remit of Professional Fees. Whilst we do not disagree with this approach, particularly given the high-level nature of Local

Plan Viability Assessments, we note that the Draft LP Viability Assessment has applied the assumption that Professional Fees are reduced to 6% of build costs for developments in excess of 101 dwellings.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: PREPARATION OF A WHOLE LIFE CARBON CYCLE ASSESSMENT (WLCCA)

Strategic Policy CC06 needs to acknowledge that such inputs will not be available at the outline stage of a project or application and would require the assessor to adopt a considerable number of assumptions. This is impractical and goes beyond the remit of an outline application which is only seeking permission for the principle of development.

VIABILITY ASSUMPTION

We strongly consider that this assumption is insufficient and the assumption that these fees fall to 6% of build cost on larger schemes is not justified and does not represent best practice in viability assumptions. Professional Fees for all viability assessments should range between 8-10%.

Full name: Bethan Haigh

Organisation (where relevant): Boyer Planning

Other party name (if relevant): Taylor Wimpey UK Ltd. C/O Boyer

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC06

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: 2.69 This policy requires all major development to undertake an embodied carbon assessment submitted via a Whole Life Carbon Cycle Assessment (WLCCA) procedure.

2.70 This policy is underpinned by two pieces of evidence including CCF-018 - Whole Life Carbon Assessment for the Built Environment (2nd Ed.) and CCF-024 - RICS Whole Life Carbon Assessment for the Built Environment (1st Edition - 2017). Both documents confirm the methodology and requirements for preparing a WLCCA. The reporting table requires significant amounts of information relating to the proposed development including GIA, Facilitating Works, Substructure, Finishes, Fixtures and Fittings. Strategic Policy CC06 needs to acknowledge that such inputs will not be available at the outline stage of a project or application and would require the assessor to adopt a considerable number of assumptions. This is impractical and goes beyond the remit of an outline application which is only seeking permission for the principle of development.

2.71 It is also noted that the Draft LP Viability Assessment (Core Submission Document CSD-004), makes no allowance for this policy requirement, confirming that the need to prepare an embodied carbon assessment is considered to fall within the remit of Professional Fees. Whilst we do not disagree with this approach, particularly given the high-level nature of Local Plan Viability Assessments, we note that the Draft LP Viability Assessment has applied the assumption that professional fees are reduced to 6% of build costs for developments in excess of 101 homes. We strongly consider that this assumption is insufficient and the assumption that professional fees fall to 6% of build cost on larger schemes is not justified and does not represent best practice in viability assumptions. Professional fees for all viability assessments should range between 8-10%.

2.72 We also object to the policy text which relates to the need to retain existing habitable buildings with new development (except for in exceptional circumstances).

2.73 At present, this policy is not justified. There may be instances whereby retrofitting and converting an existing building is less sustainable than its demolition and rebuild as a new build property, that would accord with the building regulations and relevant updated sustainability

requirements. In such instances, where it is demonstrated that this is the case, the proposals for demolishing and rebuilding the dwelling should not be resisted.

Full name: CORAL CURTIS

Organisation (where relevant): GRASS ROOTS PLANNING LTD

Other party name (if relevant): BROADCLYST LVA LLP (LVA)

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC06

2. Do you consider that this part of the Mitigating Climate Change chapter is legally compliant?: Yes

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: Strategic Policy CC06

relates to embodied carbon. It states that major development will be required

to undertake an embodied carbon assessment, submitted as part of the Sustainability Statement

through a nationally recognised Whole Life Cycle Carbon Assessment procedure.

We have no issue in principle with this policy, but it is considered that the wording should set out when

this needs to be undertaken – the outline planning application stage seems too early to carry out this

level of assessment, and it would be more beneficial being undertaken at the reserved matters/detailed

stage when the specific credentials of the development and exact information are known and to not

simply have a validation requirement which adds little to the matters that are to be determined.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: TO RESPOND, AS REQUIRED, TO ANY QUESTIONS IN RELATION TO POLICY SD07 AND IN PARTICULAR SITE BRCL_12.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): Sidbury LVA LLP

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC06

2. Do you consider that this part of the Mitigating Climate Change chapter is legally compliant?: No

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: Whilst we support the Council's ambitions for reducing carbon emissions, we do not consider that this draft Policy is justified or consistent with national policy.

There are currently significant gaps for collecting data and measuring whole life carbon consistently and comparatively. As a result, the Future Homes Hub have prepared a roadmap for the development of an industry-led approach for reducing embodied and whole life carbon in new homes which is expected to be aligned with emerging national Government policy. This will include a Future Homes Carbon Assessment Tool.

There are also issues with including assessment of carbon as part of the planning process, given the highly technical nature of the process, which much more naturally aligns with Building Regulations.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Given the Government's position on setting standards at a national level, we do not believe this draft Policy aligns with national policy, nor is the need for it justified. As such, it should be removed in full to achieve soundness.

4. Do you consider that this part of the Mitigating Climate Change chapter complies with the duty to cooperate?: No

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: It is important that Sidbury LVA LLP is present to participate in the hearing session for Policy CC06 owing to their interest in Land South of Furzehill (Sidm_34). It is important that they are given the opportunity to make their case in relation to this policy.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): 3West Group

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC06

2. Do you consider that this part of the Mitigating Climate Change chapter is legally compliant?: No

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: Whilst we support the Council's ambitions for reducing carbon emissions, we do not consider that this draft Policy is justified or consistent with national policy.

There are currently significant gaps for collecting data and measuring whole life carbon consistently and comparatively. As a result, the Future Homes Hub have prepared a roadmap for the development of an industry-led approach for reducing embodied and whole life carbon in new homes which is expected to be aligned with emerging national Government policy. This will include a Future Homes Carbon Assessment Tool.

There are also issues with including assessment of carbon as part of the planning process, given the highly technical nature of the process, which much more naturally aligns with Building Regulations.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Given the Government's position on setting standards at a national level, we do not believe this draft Policy aligns with national policy, nor is the need for it justified. As such, it should be removed in full to achieve soundness.

4. Do you consider that this part of the Mitigating Climate Change chapter complies with the duty to cooperate?: No

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: It is important that 3West Group is present to participate in the hearing session for Policy CC06 owing to their interest in the Land north and east of Exton Farm (Wood_28). It is important that they are given the opportunity to make their case in relation to this policy.

Full name: Jess Perminter

Organisation (where relevant): Carney Sweeney

Other party name (if relevant): CR Down Farming Ltd and Stuart Partners Ltd

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC06

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: The requirement for all major developments to undertake an embodied carbon assessment appears

excessive and unjustified. This should only be required where the particular circumstances of the proposal raise significant embodied carbon issues.

The financial implications of this additional requirement on development costs are also not assessed in the

Three Dragons Viability Assessment.

If this requirement is found sound it would also provide greater clarity if the Policy identified which nationally recognised Whole Life Cycle Carbon Assessment procedure the Council would expect to be completed.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Policy to be deleted or amended to refer to justified circumstances and confirm which Whole Life Cycle Carbon Assessment should be completed.

Full name: Jess Perminter

Organisation (where relevant): Carney Sweeney

Other party name (if relevant): DAAB Partnership

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC06

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: The requirement for all major developments to undertake an embodied carbon assessment appears excessive and unjustified. This should only be required where the particular circumstances of the proposal raise significant embodied carbon issues.

The financial implications of this additional requirement on development costs is also not assessed in the Three Dragons Viability Assessment.

If this requirement is found sound it would also provide greater clarity if the Policy identified which nationally recognised Whole Life Cycle Carbon Assessment procedure the Council would expect to be completed.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Policy to be deleted or amended to refer to justified circumstances and confirm which Whole Life Cycle Carbon Assessment should be completed.

Full name: Neil Mantell

Organisation (where relevant): LRM Planning

Other party name (if relevant): The Cherwell Group

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC06

2. Do you consider that this part of the Mitigating Climate Change chapter is legally compliant?: Yes

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: Policy CC06 requires proposals to demonstrate actions taken to minimise embodied carbon emissions. Major development is required to undertake an embodied carbon assessment as part of a sustainability statement, using a nationally recognised whole life cycle carbon assessment procedure.

Whilst the principle of the Policy is understood and supported, the Local Planning Authority will need to consider how practical the implementation of the Policy will be, particularly as many of the emissions associated with development are outside the control of a developer (i.e. material extraction and transportation, demolition and disposal). The Local Planning Authority will also need to consider how they will monitor the implementation of the Policy. They should also be mindful of the implications that the Policy should have on issues such as housing delivery.

In addition, the Policy and its supporting text is not clear on what stage of the development process that the embodied carbon assessment is required. Many of the considerations will not be known on submission and determination of an outline application and therefore it may be more effective, in that circumstance, for the outline applicant to establish targets at the outline stage, which could be controlled by condition for a later stage of the planning process.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Policy CC06 requires proposals to demonstrate actions taken to minimise embodied carbon emissions. Major development is required to undertake an embodied carbon assessment as part of a sustainability statement, using a nationally recognised whole life cycle carbon assessment procedure.

Whilst the principle of the Policy is understood and supported, the Local Planning Authority will need to consider how practical the implementation of the Policy will be, particularly as many of the emissions associated with development are outside the control of a developer (i.e. material extraction and transportation, demolition and disposal). The Local Planning Authority will also need to consider how they will monitor the implementation of the Policy. They should also be mindful of the implications that the Policy should have on issues such as housing delivery.

In addition, the Policy and its supporting text is not clear on what stage of the development process that the embodied carbon assessment is required. Many of the considerations will not be known on submission and determination of an outline application and therefore it may be more effective, in that circumstance, for the outline applicant to establish targets at the outline stage, which could be controlled by condition for a later stage of the planning process.

4. Do you consider that this part of the Mitigating Climate Change chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Due to the significant policy issues concerned.

Full name: Nick Guildford

Organisation (where relevant): C G Fry & Son

Other party name (if relevant): Mr & Mrs Cowling

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC06

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: While C G Fry supports consideration of embodied carbon the requirement for all major developments to undertake an embodied carbon assessment appears excessive and unjustified. This should only be required where the particular circumstances of the proposal raise significant embodied carbon issues.

The financial implications of this additional requirement on development costs is also not assessed in the Three Dragons Viability Assessment.

If this requirement is found sound it would also provide greater clarity if the Policy identified which nationally recognised Whole Life Cycle Carbon Assessment procedure the Council would expect to be completed.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Policy to be deleted or amended to refer to justified circumstances and confirm which Whole Life Cycle Carbon Assessment should be completed.

Full name: Owen Jones

Organisation (where relevant): LRM Planning

Other party name (if relevant): David Wilson Homes

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC06

2. Do you consider that this part of the Mitigating Climate Change chapter is legally compliant?: Yes

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: STRATEGIC POLICY CC06 – EMBODIED CARBON

9.31 Policy CC06 requires proposals to demonstrate actions taken to minimise embodied carbon

emissions. Major development is required to undertake an embodied carbon assessment as part of

a sustainability statement, using a nationally recognised whole life cycle carbon assessment procedure.

9.32 Whilst the principle of the Policy is understood and supported, the Local Planning Authority will

need to consider how practical the implementation of the Policy will be, particularly as many of the

emissions associated with development are outside the control of a developer (i.e. material extraction and transportation, demolition and disposal). The Local Planning Authority will also need

to consider how they will monitor the implementation of the Policy. They should also be mindful of

the implications that the Policy should have on issues such as housing delivery.

25 <https://www.london.gov.uk/programmes-strategies/planning/planning-applications-and-decisions/pre-planning-application-meeting-service/energy-planning-guidance>

EAST DEVON LOCAL PLAN PUBLICATION DRAFT CONSULTATION 50

9.33 In addition, the Policy and its supporting text is not clear on what stage of the development process

that the embodied carbon assessment is required. Many of the considerations will not be known on

submission and determination of an outline application and therefore it may be more effective, in

that circumstance, for the outline applicant to establish targets at

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: ST RA TE GIC POLI C Y C C0 6 – E MB OD IED C AR BO N

9.31 Policy CC06 requires proposals to demonstrate actions taken to minimise embodied carbon

emissions. Major development is required to undertake an embodied carbon assessment as part of

a sustainability statement, using a nationally recognised whole life cycle carbon assessment procedure.

9.32 Whilst the principle of the Policy is understood and supported, the Local Planning Authority will

need to consider how practical the implementation of the Policy will be, particularly as many of the

emissions associated with development are outside the control of a developer (i.e. material extraction and transportation, demolition and disposal). The Local Planning Authority will also need

to consider how they will monitor the implementation of the Policy. They should also be mindful of

the implications that the Policy should have on issues such as housing delivery.

25 <https://www.london.gov.uk/programmes-strategies/planning/planning-applications-and-decisions/pre-planning-application-meeting-service/energy-planning-guidance>

EAST DEVON LOCAL PLAN PUBLICATION DRAFT CONSULTATION 50

9.33 In addition, the Policy and its supporting text is not clear on what stage of the development process

that the embodied carbon assessment is required. Many of the considerations will not be known on

submission and determination of an outline application and therefore it may be more effective, in

that circumstance, for the outline applicant to establish targets at

4. Do you consider that this part of the Mitigating Climate Change chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Due to the significant policy issues concerned.

Full name: Samantha Thomas

Organisation (where relevant): CarneySweeney

Other party name (if relevant): Cavanna Homes (Cavanna)

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC06

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: While Cavanna supports consideration of embodied carbon the requirement for all major developments to undertake an embodied carbon assessment appears excessive and unjustified. This should only be required where the particular circumstances of the proposal raise significant embodied carbon issues.

The financial implications of this additional requirement on development costs is also not assessed in the Three Dragons Viability Assessment.

If this requirement is found sound it would also provide greater clarity and effectiveness if the Policy identified which nationally recognised Whole Life Cycle Carbon Assessment procedure the Council would expect to be completed. If a target/measure is not specified, then the policy would be meaningless. Conversely if there is a target set this would have viability implications.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Policy to be deleted or amended to refer to justified circumstances and confirm which Whole Life Cycle Carbon Assessment should be completed.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

Full name: Samantha Thomas

Organisation (where relevant): CarneySweeney

Other party name (if relevant): Taylor Wimpey Exeter

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC06

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: While Taylor Wimpey supports consideration of embodied carbon the requirement for all major developments to undertake an embodied carbon assessment appears excessive and unjustified. This should only be required where the particular circumstances of the proposal raise significant embodied carbon issues.

The financial implications of this additional requirement on development costs have not been assessed in the Three Dragons Viability Assessment.

If this requirement is found sound it would also provide greater clarity if the Policy identified which nationally recognised Whole Life Cycle Carbon Assessment procedure the Council would expect to be completed.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Policy to be deleted or amended to refer to justified circumstances and confirm which Whole Life Cycle Carbon Assessment should be completed.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

Full name: Simon Coles

Organisation (where relevant): Carney Sweeney

Other party name (if relevant): C R Down Farming Ltd and Stuart Partners Ltd

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC06

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: CarneySweeney acts for CR Down Farming Ltd and Stuart Partners Ltd in connection with land south of A3052 and east of A376, Clyst St Mary, East Devon.

The requirement for all major developments to undertake an embodied carbon assessment appears excessive and unjustified. This should only be required where the particular circumstances of the proposal raise significant embodied carbon issues.

The financial implications of this additional requirement on development costs are also not assessed in the Three Dragons Viability Assessment.

If this requirement is found sound it would also provide greater clarity if the Policy identified which nationally recognised Whole Life Cycle Carbon Assessment procedure the Council would expect to be completed.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Policy to be deleted or amended to refer to justified circumstances and confirm which Whole Life Cycle Carbon Assessment should be completed.

Full name: Simon Coles

Organisation (where relevant): Carney Sweeney

Other party name (if relevant): C G Fry & Son Ltd

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC06

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: While C G Fry supports consideration of embodied carbon the requirement for all major developments to undertake an embodied carbon assessment appears excessive and unjustified. This should only be required where the particular circumstances of the proposal raise significant embodied carbon issues.

The financial implications of this additional requirement on development costs is also not assessed in the Three Dragons Viability Assessment.

If this requirement is found sound it would also provide greater clarity if the Policy identified which nationally recognised Whole Life Cycle Carbon Assessment procedure the Council would expect to be completed.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Policy to be deleted or amended to refer to justified circumstances and confirm which Whole Life Cycle Carbon Assessment should be completed.

Full name: Stuart Houlet

Organisation (where relevant): PCL Planning Ltd

Other party name (if relevant): Waddeton Park Limited (Honiton)

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC06

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: This policy sets out a blanket approach requiring all major developments to undertake an embodied carbon assessment instead of setting out any considerations as to when this would add value, i.e. when a development raises significant carbon issues or where there are opportunities to utilise existing buildings/materials. It will add unnecessarily to the costs of the application process without adding any value to the majority of projects unless the policy is clearer on the circumstances it should be required.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Policy CC06 needs to be clarified in respect of the circumstances where such a requirement (embodied carbon assessment) would add value rather than setting out an unnecessary blanket approach for all major development. Otherwise, it should be deleted.

Full name: Stuart Houlet

Organisation (where relevant): PCL Planning Ltd

Other party name (if relevant): Waddeton Park Limited (Honiton)

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC06

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: This policy sets out a blanket approach requiring all major developments to undertake an embodied carbon assessment instead of setting out any considerations as to when this would add value, i.e. when a development raises significant carbon issues or where there are opportunities to utilise existing buildings/materials. It will add unnecessarily to the costs of the application process without adding any value to the majority of projects unless the policy is clearer on the circumstances it should be required.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Policy CC06 needs to be clarified in respect of the circumstances where such a requirement (embodied carbon assessment) would add value rather than setting out an unnecessary blanket approach for all major development. Otherwise, it should be deleted.

Full name: Harriet Fuller

Organisation (where relevant): Environment Agency

Other party name (if relevant): -

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC06

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: This policy no longer requires the demonstration for the full lifecycle of carbon emissions to be net-zero which feels like a step backwards, especially following the outcome of the Finch v Surrey County Council ruling.

Full name: Rachel Danemann

Organisation (where relevant): Home Builders Federation (HBF)

Other party name (if relevant): -

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC06

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: The policy is not considered to be sound as it is not positively prepared, effective, justified or consistent with national policy

77. This policy required major development to undertake an Embodied Carbon Assessment , reaching a range of targets as set out in the policy.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: HBF considers that if the Council is to introduce a policy in relation to embodied carbon it will have to closely consider how it will be monitored and what the implications are for the preparation of any assessment, particularly in relation to how easily accessible any data is, and that it will have to take into consideration that much of the responsibility for emissions will lie in areas outside of the control of the homebuilding industry, including material extraction and transportation, occupation and maintenance, demolition and disposal. The Council will also have to consider how the policy will interact with other policies for example in relation to energy efficiency or resilience to heat, as well as the viability and delivery of development.

78. HBF considers that if this policy were to be introduced then the Council should provide a transitional period to give the industry time to adjust to the requirements and for the supply chain to be updated or amended as required.

Full name: Kim Miller

Organisation (where relevant): Historic England

Other party name (if relevant): -

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC06

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: As Policy CC06 suggests circumstances in which an existing buildings may not need to be retained, it is important that the policy or supporting text highlighted that where the building is a heritage asset, national and local policies for the conservation and enhancement of heritage assets will also need to be met.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Add policy or supporting text identifying that when considering heritage assets, heritage policies in the Local Plan and NPPF will also need to be met.

Full name: Jozie Bannister

Organisation (where relevant): Devonshire Homes

Other party name (if relevant): -

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC06

2. Do you consider that this part of the Mitigating Climate Change chapter is legally compliant?: -

2(a). If yes, and you wish to support the legal compliance of this part of the Mitigating Climate Change chapter, please use this box to set out your comments.: -

2(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not legally compliant. Please be as precise as possible. : -

2(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: -

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(a). If yes, and you wish to support the soundness of this part of the Mitigating Climate Change chapter, please use this box to set out your comments.: -

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: This is unnecessary and more time consuming and costly than is probably appreciated. This will impact the viability of major proposals.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: -

4. Do you consider that this part of the Mitigating Climate Change chapter complies with the duty to cooperate?: -

4(a). If yes, and you wish to support this part of the Mitigating Climate Change chapter's compliance with the duty to co-operate, please use this box to set out your comments.: -

4(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter fails to comply with the duty to co-operate. Please be as precise as possible.: -

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: -

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: -

Full name: Oliver Keates

Organisation (where relevant): OBK Land and Planning Ltd

Other party name (if relevant): -

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC06

2. Do you consider that this part of the Mitigating Climate Change chapter is legally compliant?: No

2(a). If yes, and you wish to support the legal compliance of this part of the Mitigating Climate Change chapter, please use this box to set out your comments.: The requirement for all major developments to undertake an embodied carbon assessment is excessive and unjustified. This should only be required where the circumstances of the proposal raise significant embodied carbon issues.

2(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not legally compliant. Please be as precise as possible. : -

2(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: -

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: -

3(a). If yes, and you wish to support the soundness of this part of the Mitigating Climate Change chapter, please use this box to set out your comments.: -

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: -

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: -

4. Do you consider that this part of the Mitigating Climate Change chapter complies with the duty to cooperate?: -

4(a). If yes, and you wish to support this part of the Mitigating Climate Change chapter's compliance with the duty to co-operate, please use this box to set out your comments.: -

4(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter fails to comply with the duty to co-operate. Please be as precise as possible.: -

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: -

Full name: Roy Russell

Organisation (where relevant): Sidmouth Cycling Campaign

Other party name (if relevant): -

Proposal: 6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?:
Figure/Image

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: Figure 7

2. Do you consider that this part of the Mitigating Climate Change chapter is legally compliant?: -

2(a). If yes, and you wish to support the legal compliance of this part of the Mitigating Climate Change chapter, please use this box to set out your comments.: -

2(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not legally compliant. Please be as precise as possible. : -

2(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: -

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(a). If yes, and you wish to support the soundness of this part of the Mitigating Climate Change chapter, please use this box to set out your comments.: -

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: Figure 7, in this chapter, presents “The Energy Hierarchy” which forms the basis for interventions that developers will need to prioritise to ensure the net-zero target is met. The first and most important item on the hierarchy is “Development location: Minimise need to travel and provide access to sustainable transport”. We agree with this approach; however, there is no further reference to development location or transport in the remainder of this chapter, or how the developer will demonstrate their interventions towards net-zero.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: We suggest that this chapter should include paragraphs after Figure 8 detailing how the items on “The Energy Hierarchy” will be addressed. For instance, Strategic Policy SP01 directs development to sustainable locations and Chapter 11 prioritises sustainable travel.

4. Do you consider that this part of the Mitigating Climate Change chapter complies with the duty to cooperate?: -

4(a). If yes, and you wish to support this part of the Mitigating Climate Change chapter's compliance with the duty to co-operate, please use this box to set out your comments.: -

4(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter fails to comply with the duty to co-operate. Please be as precise as possible.: -

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: -