

From: Cllr R. Vint
Sent: 18 February 2010 04:23
To: Robert Young
Subject: RE: Cllr Vint: Examination of the Development Policies DPD

Dear Mr Young,

Thank you again for your response to my query.

You proposed that I and Transition Town Totnes Building & Housing Group provide a short statement of our views, "preferably jointly if you wish to make the same points, by Thursday 18 February 2010 ". Having read the submission that the group have just sent you I believe that this incorporates my concerns about the deletion of items 6, 7 and 8 of DP4 and that their views on other matters accord with my own. I would therefore be happy for this to be treated as a joint submission as you proposed.

Totnes Councillors were concerned that when the Development Policies DPD was discussed at the Full Council meeting of 29th October 2009 that the strength of support from the residents and community groups of Totnes for high sustainable construction and renewable energy policies that had previously been communicated to the Forward Planning department in 2007 and 2009 and repeatedly in response to other sections of the DPD was not reflected in the summary of responses provided for members. Our concerns were noted in the minutes of that meeting (www.southhams.gov.uk/administration/committee_minutes/council/29Oct09_min.pdf) and I would like these to be taken into account when investigating this policy. The summary of responses for members focussed upon the views of developers and appeared to misrepresent the views of the Dartington Trust who subsequently wrote to the local paper (the Totnes Times) to emphasise that sustainability was a central part of their mission and that, contrary to the impression given, they did not wish to see these policies eliminated. For this reason it may be worthwhile for the inspection to clarify the position of the Dartington Trust in relation to DP4.

May I also register my wish to appear and speak at the hearing in relation to Policy DP4 (accompanied, if permitted, by a representative of Transition Town Totnes Building & Housing Group).

Yours sincerely,

Cllr Robert Vint (Totnes Town ward)

From: Adrian Porter
Sent: 17 February 2010 21:20
To: Robert Young
Cc: Cllr Vint; Jill Tomalin; Kate Wilson; Tony and Carole Whitty; Chris Bird 2009
Subject: Examination of the Development Policies DPD representation

Dear Mr. Young,

Further to our recent correspondence, on behalf of the Transition Town Totnes (TTT) - Building and Housing Group, I would like to inform the Inspector that the South Hams District Council (SHDC) Development Policies Document is unsound in relation to sustainable construction. This includes proposed changes to DP4, items 6,7,8.

The following extracts in italics are from the Core Policies DPD and amendments SHDC currently propose are underneath – labelled (Amendment). Comments made by the Transition Town Totnes – Building Group are highlighted in blue:

3.41 Good design can play a role in the mitigation and adaptation to the impact of climate change and promote a more efficient use of resources. Measures should include provision to minimise energy demand through good design, as well as maximising the use of renewable energy and efficient energy supply. A reduction in the environmental impact of new developments will be promoted and involve the use of 'greener' construction techniques to reduce carbon dioxide emissions from construction and use. The choice of locally sourced building materials can contribute to energy efficient measures and the achievement of sustainable development.

(Amendment)PC56 DP4 3.41 Revise para to read 'Measures include minimising energy demand through the orientation of building, and maximising the use of renewable energy and efficient energy supply, as well as the use of 'greener' construction techniques to reduce carbon dioxide emissions from construction and use. The choice of locally sourced building materials can also contribute to'

The proposed amendment is poor on sustainability. Good design seems to take second place to orientation of building. There's no stated aim to reduce the environmental impacts (which should be have been specified). "Greener" construction techniques' is incredibly vague. The Climate Change supplement to PPS1 is clear on planning objectives, decision making principles, decentralised energy, selecting land for development.

3.50 All development where either the Code for Sustainable Homes or BREEAM standards apply will have to submit a Sustainability Statement with the proposal. This will describe how the proposal responds in terms of sustainability to the policies in the LDF, particularly this policy and policy DC1 High Quality Design.

This is misleading. 3.50 implies that the LDF is the greater authority on sustainability and, given that all new dwellings are subject to the Code, could give a false impression about the importance of sustainability nationally to a prospective developer. This goes against Government policy.

*Evidence required from applicants to accompany planning applications:
Sustainability Statement – providing evidence of how the development addresses the issues of resource and energy use, and use of local materials
Code for Sustainable Homes
BREEAM – non residential developments
Construction Environmental Management Plans
Site specific flood risk assessments as appropriate*

(Amendment) PC59 DP4 Evidence: Deletion of reference to BREAM and Code for Sustainable Homes bullets and insertion of **'provide the management framework needed for the planning and implementation of construction activities in accordance with environmental commitments'** under Construction Environmental Management Plans bullet

This is very misleading - implying to developers that the Code and BREEAM aren't important. A clear commitment to sustainable construction is required by the climate change supplement to PPS1. Below is from the PPS1 supplement:

30. Planning authorities, developers and other partners in the provision of new development should engage constructively and imaginatively to encourage the delivery of sustainable buildings. Accordingly, planning policies should support innovation and investment in sustainable buildings and should not, unless there are exceptional reasons, deter novel or cutting-edge developments. Planning authorities should help to achieve the national timetable for reducing carbon emissions from domestic and non-domestic buildings.

32. When proposing any local requirement for sustainable buildings planning authorities should:

- focus on development area or site-specific opportunities;
- **specify the requirement in terms of achievement of nationally described sustainable buildings standards, for example in the case of housing by expecting identified housing proposals to be delivered at a specific level of the Code for Sustainable Homes**
- ensure the requirement is consistent with their policies on decentralised energy; and
- not require local approaches for a building's environmental performance on matters relating to construction techniques, building fabrics, products, fittings or finishes, or for measuring a building's performance unless for reasons of landscape or townscape.

6. New homes and non-residential buildings should meet level 3 or higher of the Code for Sustainable Homes or "very good" of the BREEAM environmental standards.

7. Development comprising 10 or more dwellings, or exceeding 1000m² gross floorspace, should accommodate micro renewable energy schemes which generate sufficient on-site renewable energy to off-set at least 10% of their predicted carbon dioxide emissions.

8. Development comprising 10 or more dwellings should meet "Lifetime Home Standards" on at least 25% of homes.

(Amendment) PC62 DP4 DP4 Cl. 6, 7, 8 Delete clauses 6, 7, 8.

This contradicts the sustainability aims of SHDC and cannot be justified. See attached related consultation representation made by TTT in August 2007.

(Amendment) PC63 DP4 DP4 Cl. 6 New clause inserted **'Buildings will be sited and orientated to maximise passive solar gain'** after cl. 5

Again, this is contrary to the Climate change supplement to PPS1 as outlined above.

Code 3 of the Code for Sustainable Homes is mandatory for all new homes from 2010. By 2013 new build homes will have to comply with level 4 and by 2016 level 5. Instead of deleting the Code 3 reference, SHDC should be raising aspirations. The Code attempts to make dwelling environmentally friendly as well as energy efficient – as the Code states: "Building sustainable homes is about more than just carbon dioxide. We also need to build and use our homes in a way that minimises their other environmental impacts, such as the water they use, the waste they generate and the materials they are built from".

South Hams appears to be aiming to water down the Code by deleting references to it and inserting very woolly statements which seem to be requiring far less of a developer than is mandatory. It certainly gives the impression that South Hams doesn't have sustainability

issues central to its philosophy – which goes against its Core Strategy which has a robust section on climate change and its mitigation, and Government policy in the form of the climate change supplement to PPS1. So it's definitely unsound in respect of national policy and might not be legally compliant with the Core Strategy.

This is also unsound because it's not "justified" in PPS12 terms because it's not founded on a credible evidence base "including evidence of participation of the local community and others having a stake in the area".

These comments are further supported by the related attached Development Control Core Policies DPD representation submitted by myself on behalf of the TTT Building Group to SHDC in August 2007.

I look forward to this representation will be shared with both the Inspector and members of the Council, and will appreciate your guidance as to most appropriately progressing this further.

With regards,

Adrian Porter