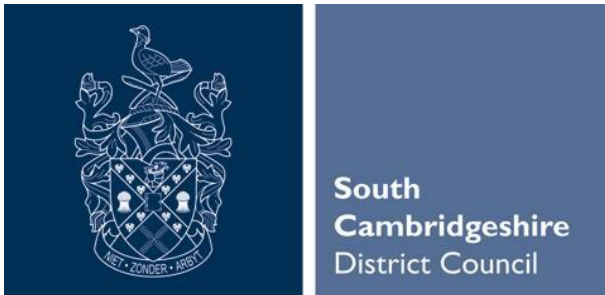


**SC2/SCDC**



Examination into the Soundness of the  
South Cambridgeshire Local Plan

**Matter SC2 – Climate Change**

South Cambridgeshire District Council

September 2016



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Matter SC2: Climate Change  
Statement by South Cambridgeshire District Council  
September 2016

## Introduction

1. This statement sets out the Council's response in relation to the Inspectors' Matter SC2 relating to climate change.
2. All the documents referred to in this statement are listed in Appendix 1, and examination library document reference numbers are used throughout the statement for convenience.
3. As a result of considering the Inspectors' questions, the Council is suggesting a number of modifications to policies in Chapter 4: Climate Change of the South Cambridgeshire Local Plan<sup>1</sup>. These modifications are referred to in the responses to each question, and are also all listed in Appendix 2 for convenience.

## **SC2A – Policy CC/1: Mitigation and Adaptation to Climate Change**

### **SC2A.i**

**Should the policy give greater clarity as to the particular matters which the Council would be expect to be included in a Sustainability Statement?**

**AND**

### **SC2A.ii**

**Should the quantity of information required in a Sustainability Statement be proportionate to the nature and scale of the particular proposed development? If so, should the policy indicate appropriate thresholds?**

4. Guidance on what should be included in a Sustainability Statement will be provided in an updated District Design Guide SPD and therefore the policy does not need to provide greater clarity. The Council proposed a minor modification<sup>2</sup>, submitted alongside the South Cambridgeshire Local Plan<sup>3</sup> in March 2014, to amend the supporting text to Policy CC/1 to explain this and therefore provide clarity.
5. The quantity of information required in a Sustainability Statement should be proportionate to the nature and scale of the proposed development. It is not appropriate for the policy to indicate thresholds as the policy should be applied to all developments.
6. Section 182 of the Planning Act 2008<sup>4</sup> requires local planning authorities to include policies in their local plans designed to secure development and use of land that will contribute to the 'mitigation' of, and 'adaptation' to, climate change. The National Planning Policy Framework<sup>5</sup> (NPPF) requires that local planning authorities adopt

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<sup>1</sup> RD/Sub/SC/010

<sup>2</sup> South Cambridgeshire Schedule of Proposed Minor Changes (RD/Sub/SC/040): Modification MC/4/02, page 4

<sup>3</sup> RD/Sub/SC/010

<sup>4</sup> RD/Gov/070

<sup>5</sup> RD/NP/010, paragraph 94

proactive strategies to mitigate and adapt to climate change. The Council therefore included Policy CC/1 in the South Cambridgeshire Local Plan<sup>6</sup> to be applied to all developments.

7. All developments should be designed to be adaptable to our changing climate and to mitigate further climate change. Paragraphs 4.10 and 4.11 of the South Cambridgeshire Local Plan (as submitted in March 2014)<sup>7</sup> list the issues to be considered when designing proposals that mitigate the effects of and are adaptable to climate change. Not all of these issues will be applicable to all proposals; however they provide a starting point for the issues that should be considered in a Sustainability Statement to demonstrate that the proposal meets the requirements of Policy CC/1.
8. The Council recognises that the level of information to be provided in a Sustainability Statement should be proportionate to the nature and scale of the proposed development; however to ensure that this policy is considered when determining all planning applications, no threshold is included in the policy.
9. Policy DP/1 in the adopted Development Control Policies DPD<sup>8</sup> requires Sustainability Statements to be submitted with planning applications for major developments to demonstrate that the principles of sustainable development (as set out in the policy) have been applied. Both the guidance document<sup>9</sup> that accompanies the Council's 'Local List' Requirements and the adopted District Design Guide SPD<sup>10</sup> include guidance on what should be considered. The revised District Design Guide will therefore include updated guidance on what should be included in the Sustainability Statements that are required by Policy CC/1 for all planning applications.
10. Sustainability Statements have been submitted with planning applications for major developments since the adoption of the Development Control Policies DPD<sup>11</sup> in July 2007. Sustainability Statements include useful information on how the proposal incorporates the principles of sustainable development within it, and therefore positively contribute to the planning officers being able to make an informed decision on the proposed development.
11. For clarity, the Council would support an additional modification to Policy CC/1 to make it clear that a Sustainability Statement should include information proportionate to the scale and nature of the proposal. The modification would add an additional sentence to the end of the policy to read:

**'...The level of information provided in the Sustainability Statement should be proportionate to the scale and nature of the proposed development.'**

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<sup>6</sup> RD/Sub/SC/010

<sup>7</sup> RD/Sub/SC/010

<sup>8</sup> RD/AD/110

<sup>9</sup> RD/SPD/280

<sup>10</sup> RD/SPD/080, Chapter 8

<sup>11</sup> RD/AD/110, Policy DP/1



**SC2A.iii**

**Would the Sustainability Statement specifically exclude matters which would be controlled under the Building Regulations?**

12. The Council considers that the Sustainability Statement should not include detailed information on how the proposed development is capable of meeting Building Regulations requirements, as this is assessed through a separate process. However the Council considers that it is appropriate for the Sustainability Statement to refer to matters that are controlled under Building Regulations, but which are relevant to the sustainability of a development and are reasonable for the Council to consider through the planning process, such as energy and water efficiency, when a proposal is demonstrating compliance with Policy CC/1.
  
13. As set out in the response to questions SC2A.i and SC2A.ii above, paragraphs 4.10 and 4.11 of the South Cambridgeshire Local Plan (as submitted in March 2014)<sup>12</sup> list the issues to be considered when designing proposals that mitigate the effects of and are adaptable to climate change, and therefore the issues that should be considered in a Sustainability Statement. These paragraphs in the Local Plan highlight which issues are controlled through Building Regulations and which are covered by policies in the Local Plan.

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<sup>12</sup> RD/Sub/SC/010

**SC2B – Policy CC/2: Renewable and Low Carbon Energy Generation**

**SC2B.i**

**Is the Policy, as proposed to be modified, consistent with the Written Ministerial Statement dated 18 June 2015?**

**AND**

**SC2B.ii**

**In light of the Written Ministerial Statement, is the Council intending to identify any areas in the Plan where wind energy generation would be suitable in principle?**

14. Policy CC/2, as proposed to be modified, is consistent with the Written Ministerial Statement (WMS) (18 June 2015)<sup>13</sup>. The Council is not intending to identify areas in the South Cambridgeshire Local Plan where wind energy generation would be suitable in principle.
15. The WMS (18 June 2015)<sup>14</sup> sets out new considerations to be applied to proposed wind energy developments, specifically that:

*When determining planning applications for wind energy development involving one or more wind turbines, local planning authorities should only grant planning permission if:*

- *the development site is in an area identified as suitable for wind energy development in a Local or Neighbourhood Plan; and*
- *following consultation, it can be demonstrated that the planning impacts identified by affected local communities have been fully addressed and therefore the proposal has their backing.*

*In applying these new considerations, suitable areas for wind energy development will need to have been allocated clearly in a Local or Neighbourhood Plan.*

16. To ensure consistency with the guidance in the WMS (18 June 2015)<sup>15</sup>, the Council has proposed modifications that were subject to public consultation in December 2015 – January 2016. The proposed modifications<sup>16</sup> (PM/SC/4/B and PM/SC/4/D<sup>17</sup>) make it clear that the Council's criteria based policy for renewable and low carbon energy developments does not apply to wind energy developments and amend the policy to replace the requirement for a minimum separation distance between a dwelling and a wind turbine with the guidance set out in the WMS. Justification for

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<sup>13</sup> RD/Gov/190

<sup>14</sup> RD/Gov/190

<sup>15</sup> RD/Gov/190

<sup>16</sup> South Cambridgeshire Local Plan – Schedule of Proposed Modifications (March 2016) (RD/MC/150), Modifications PM/SC/4/B and PM/SC/4/D, pages 34-35 and 36-37

<sup>17</sup> Proposed Modification PM/SC/4/B adds additional wording to criterion 1 of the policy and Proposed Modification PM/SC/4/D replaces criterion 2 of the policy with the guidance set out in the WMS.

each of the proposed modifications is set out in Modifications Consultation Report<sup>18</sup> and 'Proposed Modifications arising from the Government's Written Ministerial Statements'<sup>19</sup>. Each of the representations received to the consultation have been considered, and justification for the approach taken by the Council and the proposed modifications submitted to the Inspector are set out in the 'Proposed Modifications – Report on Consultation'<sup>20</sup>.

17. South Cambridgeshire has a diverse rural landscape including distinctive chalklands, rolling clay hills and wide expanses of the fens. It has extensive areas of high quality agricultural land, dominated by arable farming, and over one hundred villages each with their own distinctive townscape character. Given the nature of the landscape and townscape of the district, and that the visual impacts of renewable and low carbon energy generators vary with the scale of the landscape in which they are located, the Council does not consider it appropriate to identify broad locations for wind energy developments in the Local Plan. A detailed assessment of the district taking account of constraints and designations would need to be undertaken before consideration could be given to identifying any suitable sites for wind energy developments. The Council considers that this is a matter for the next review of the Local Plan.
18. The broad areas map submitted by RES Group in their representation<sup>21</sup> to the Proposed Modifications consultation in Winter 2015 should therefore be treated with caution. The map identifies broad areas that RES Group consider have the potential for onshore wind energy generation, however their assessment has not taken into account the impact of wind turbines in these locations on heritage and natural assets, the townscape and landscape, or nearby residents and other uses such as Cambridge Airport.
19. Whilst the Council has not identified areas suitable for wind energy developments in the Local Plan, suitable areas could be identified in Neighbourhood Plans made during the plan period. Proposed Modification PM/SC/4/D<sup>22</sup> therefore makes it clear that wind energy developments will only be permitted if the proposal is within an area identified as suitable in a Neighbourhood Plan. Community wind turbines could still be delivered during the plan period if a local community prepares a Neighbourhood Plan that identifies a suitable site(s) for a community wind turbine(s).

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<sup>18</sup> Cambridge and South Cambridgeshire Modifications Consultation Report (December 2015) (RD/MC/010), pages 111-115

<sup>19</sup> Proposed Modifications arising from the Government's Written Ministerial Statements (November 2015) (RD/MC/100), pages 61-64

<sup>20</sup> Proposed Modifications – Report on Consultation (March 2016) (RD/MC/120), Modifications PM/SC/4/B and PM/SC/4/D (pages A193-A194 and A196-A198)

<sup>21</sup> RES Group, representation 65140 to the Proposed Modifications consultation in Winter 2015

<sup>22</sup> South Cambridgeshire Local Plan – Schedule of Proposed Modifications (March 2016) (RD/MC/150), pages 36-37

**SC2B.iii**

**Should criterion 1(b) also refer to off-site (allowable) solutions e.g. direct connection to associated development or a community energy generation project? In this regard is the policy too restrictive in not enabling applicants to take the initiative in respect of the delivery of allowable solutions?**

20. Policy CC/2 sets out the criteria that must be considered when assessing proposals for developments to generate renewable or low carbon energy from freestanding installations, such as solar farms<sup>23</sup>. These types of renewable or low carbon energy developments are generally located a distance away from the associated development or community project that will use the energy, and therefore a direct connection is likely to involve the erection of associated transmission infrastructure such as pylons. Criterion 1b therefore aims to ensure that the energy generated is used efficiently and any excess is not wasted, and that any associated transmission infrastructure is limited, by specifying that the development is connected to the national grid or that the energy generated is used onsite.
21. The University of Cambridge through their representation<sup>24</sup> to the Proposed Submission consultation in Summer 2013 proposed an amendment to this criterion that would allow renewable and low carbon energy developments to be directly connected to an associated development or community project, as an alternative to using the energy for onsite needs only or connecting to the national grid.
22. Having reconsidered the proposed amendment from the University of Cambridge, it is agreed that it is broadly consistent with the Council's approach as directly connecting an energy supply to an associated development or community project would have the same benefits as the energy being used onsite. It would also be consistent with the National Planning Policy Framework<sup>25</sup> by helping to increase the use of decentralised renewable and low carbon energy. However, depending on the locations of the proposed energy supply and associated development or community project, the proposal may result in additional transmission infrastructure being needed which could have its own unacceptable adverse impacts, for example, on the landscape, heritage assets, and the amenity of nearby residents. If a direct connection could be provided without causing any unacceptable adverse impacts, this would be consistent with the aims of criterion 1b.
23. The Council would therefore support a modification to criterion 1b of Policy CC/2, alongside a proposed modification to criterion 1a to ensure that any adverse impacts from any additional transmission infrastructure are considered. The Council recommends that:
  - criterion 1b is amended to read: 'the development can be connected efficiently to existing national energy infrastructure, **or by direct connection to an**

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<sup>23</sup> RD/Sub/SC/010, paragraph 4.13

<sup>24</sup> University of Cambridge, representation 58937 to the Proposed Submission Local Plan consultation in Summer 2013

<sup>25</sup> RD/NP/010 (paragraph 97)

associated development or community project, or it can be demonstrated that the energy generated would be used for onsite needs only', and

- criterion 1a is amended to read: 'the development **and any associated infrastructure**, either individually or cumulatively with other developments, ...'.

#### SC2B.iv

**Having regard to question SC2B(i) above, is the prescribing of a minimum distance in paragraph 2 justifiable? Should each case be treated on its own merits and the appropriate minimum separation distance be determined through the planning application process?**

24. As set out in the response to questions SC2B.i and SC2B.ii above, changes have been made to national guidance relating to wind energy developments since the South Cambridgeshire Local Plan<sup>26</sup> was submitted, and therefore the Council has proposed modifications to Policy CC/2 to ensure consistency with national guidance as set out in the WMS (18 June 2015)<sup>27</sup>. The proposed modifications delete criterion (paragraph) 2<sup>28</sup> which required a minimum 2 km separation distance between a wind turbine and a dwelling, make it clear that criterion (paragraph) 1 does not apply to wind energy developments<sup>29</sup>, and include a new criterion (paragraph) for considering wind energy developments<sup>30</sup> using the guidance in the WMS (18 June 2015)<sup>31</sup>. Therefore Policy CC/2, as proposed to be modified, does not prescribe a minimum separation distance between a dwelling and a wind turbine, and states that wind energy developments will only be considered if the proposal is within an area identified as suitable in a Neighbourhood Plan. Any proposal for a wind turbine(s) will therefore need to be considered on its own merits taking account of the revised Policy CC/2, the relevant policy in a Neighbourhood Plan, and national policy as set out in the WMS (18 June 2015)<sup>32</sup> and Planning Practice Guidance (PPG)<sup>33</sup>.

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<sup>26</sup> RD/Sub/SC/010

<sup>27</sup> RD/Gov/190

<sup>28</sup> South Cambridgeshire Local Plan – Schedule of Proposed Modifications (March 2016) (RD/MC/150), Modification PM/SC/4/D, pages 36-37

<sup>29</sup> South Cambridgeshire Local Plan – Schedule of Proposed Modifications (March 2016) (RD/MC/150), Modification PM/SC/4/B, pages 34-35

<sup>30</sup> South Cambridgeshire Local Plan – Schedule of Proposed Modifications (March 2016) (RD/MC/150), Modification PM/SC/4/D, pages 36-37

<sup>31</sup> RD/Gov/190

<sup>32</sup> RD/Gov/190

<sup>33</sup> RD/NP/020, Renewable and Low Carbon Energy

## **SC2C – Policy CC/3: Renewable and Low Carbon Energy in New Developments**

### **SC2C.i**

**Does the policy accord with the provisions of the Deregulation Act 2015 which requires that local planning authorities should not set any additional local technical standards or requirements relating to the construction or performance of new dwellings?**

25. Policy CC/3 is in accordance with the provisions of the Deregulation Act 2015<sup>34</sup> and national planning policy.
26. Section 1 of the Planning and Energy Act 2008<sup>35</sup> allows local planning authorities to include policies in their Local Plan: for a proportion of energy used in development in their area to be energy from renewable or low carbon energy sources in the locality of the development (subsections 1(a) and 1(b)); and that set energy efficiency requirements that exceed national standards as set out in Building Regulations (subsection 1(c)). Section 43 of the Deregulation Act 2015<sup>36</sup> inserts a new subsection 1A into the Planning and Energy Act 2008 to make it clear that subsection 1(c) of the Planning and Energy Act 2008 does not apply to residential developments.
27. The provisions of section 43 of the Deregulation Act 2015<sup>37</sup>, once in force, will therefore prevent local authorities from setting energy efficiency<sup>38</sup> requirements for new residential developments that exceed national standards as set out in Building Regulations. The Deregulation Act 2015<sup>39</sup> does not however make changes to subsections 1(a) and 1(b) of the Planning and Energy Act 2008<sup>40</sup> which allow local authorities to include policies in their Local Plan for a proportion of energy used in development in their area to be energy from renewable or low carbon energy sources in the locality of the development. Policy CC/3 is therefore consistent with and supported by provisions set out in national legislation.
28. The National Planning Policy Framework<sup>41</sup> (NPPF) states that to increase the use and supply of renewable and low carbon energy, local planning authorities should recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources. The NPPF<sup>42</sup> also recognises that small-scale projects provide a valuable contribution to cutting greenhouse gas emissions.
29. Policy CC/3 requires new developments (that meet the thresholds set out in the policy) to use on-site renewable and low carbon energy technologies to reduce their

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<sup>34</sup> RD/Gov/220

<sup>35</sup> RD/Gov/230

<sup>36</sup> RD/Gov/220

<sup>37</sup> RD/Gov/220

<sup>38</sup> Building Regulations requirements relating to energy efficiency of new buildings are generally achieved through the design and fabric of the building.

<sup>39</sup> RD/Gov/220

<sup>40</sup> RD/Gov/230

<sup>41</sup> RD/NP/010, paragraph 97

<sup>42</sup> RD/NP/010, paragraph 98

carbon emissions by a minimum of 10% over and above required by Building Regulations. This requirement is in accordance with what is allowed through provisions in the Planning and Energy Act 2008<sup>43</sup> and the NPPF<sup>44</sup>.

### **SC2C.ii**

**Having regard to the blanket 10% carbon emissions reduction requirement over and above the Building Regulations, does the policy accord with paragraph 174 of the National Planning Policy Framework, and current Planning Practice Guidance (PPG) paragraph 009 Ref ID: 6-009-20150327 which states that “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”. Should the policy therefore include a proviso relating to the effect on the viability of a proposal?**

30. A 10% carbon emissions reduction requirement over and above the Buildings Regulations is in accordance with paragraph 174 of the National Planning Policy Framework (NPPF)<sup>45</sup> and paragraph 009 of the Planning Practice Guidance (PPG)<sup>46</sup>. The Council considers that it is not necessary for the policy to specifically include wording on viability.
31. The PPG<sup>47</sup> allows local requirements to be included in a Local Plan provided that engagement has been undertaken with appropriate partners, and the requirements are based on robust and credible evidence and pay careful attention to viability.
32. Policy NE/3 of the adopted Development Control Policies DPD<sup>48</sup> requires all development proposals greater than 1,000 sqm or 10 dwellings to include renewable energy technologies to provide at least 10% of their predicted energy requirements. The policy has been successfully implemented between 2009 and 2015. Over 80% of planning permissions granted on sites that met the size threshold included renewable energy technologies to provide 10% of their energy from renewable sources or a planning condition was imposed on the development to secure this requirement<sup>49</sup>. Although the remaining planning permissions met the size threshold, individual circumstances, such as the development being a change of use of a building or the outline planning permission being granted prior to the adoption of the policy, meant that they were not required to meet the policy.
33. The Council, in partnership with three other local authorities in Cambridgeshire, commissioned a review of their existing planning policies that require reduction in carbon emissions on new developments through the installation of on-site renewable and low carbon energy generation technologies (known as Merton rule style policies).

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<sup>43</sup> RD/Gov/230

<sup>44</sup> RD/NP/010

<sup>45</sup> RD/NP/010

<sup>46</sup> RD/NP/020, paragraph 009 Ref ID: 6-009-20150327

<sup>47</sup> RD/NP/020, paragraph 009 Ref ID: 6-009-20150327

<sup>48</sup> RD/AD/110

<sup>49</sup> RD/AD/460, paragraph 2.68 (page 19) and figure 4.54 (page 110)

- The study<sup>50</sup> recognised the value and effectiveness of the existing adopted policies but also highlighted assessment, enforcement and monitoring concerns, and inconsistency in delivery of the policy (in terms of securing the greatest benefit for building occupiers and owners).
34. The study<sup>51</sup> states that there is a strong case to be made for retaining Merton rule-style policies, especially as the reasons for encouraging renewable energy capacity have increased e.g. energy security, fuel poverty, reduction in carbon emissions. However it recommends the Council's adopted policy<sup>52</sup> is modified to be a technology specific policy using either solar thermal panels (which provide hot water) or photovoltaic panels (which generate electricity) and to apply to all dwellings (not just developments of 10 or more dwellings), as well as non-residential developments of 1,000 sqm or more.
35. The study<sup>53</sup> recommends the use of 'solar' technologies as these are the best options in terms of savings to the occupiers and carbon emissions and have a low cost of installation for the developer. The recommended policy seeks a 10% reduction in carbon emissions using 'solar' technologies; this is because given the nature of these technologies it is not reasonable to require more than 10%. The recommended policy does include options for alternative technologies to be used if 'solar' technologies do not prove to be practical, however a 10% reduction in carbon emissions beyond Building Regulations is still sought.
36. The study<sup>54</sup> considered evidence collected from a stakeholder workshop and interviews with developers, housing associations, estate managers, residents and tenants, and renewable energy suppliers. Developers expressed a clear preference for policies that were not technology specific. Policy CC/3 takes account of the findings of the study and seeks a 10% reduction in carbon emissions beyond Building Regulations, but does not specify the technology.
37. The policy has been subject to public consultation at key stages in the preparation of the Local Plan. The emerging conclusions from the study were outlined in the Issues & Options Report (July 2012)<sup>55</sup> alongside options for the approach the Council could take on on-site renewable and low carbon energy in new developments. The majority of respondents to this question supported the continuation of a policy seeking onsite renewable energy, although there was no general consensus on the target percentage that should be required<sup>56</sup>.

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<sup>50</sup> Review of Merton Rule policies in four Local Planning Authorities in Cambridgeshire (RD/CC/030)

<sup>51</sup> Review of Merton Rule policies in four Local Planning Authorities in Cambridgeshire (RD/CC/030)

<sup>52</sup> Policy NE/3, Development Control Policies DPD (July 2007) (RD/AD/110)

<sup>53</sup> Review of Merton Rule policies in four Local Planning Authorities in Cambridgeshire (RD/CC/030)

<sup>54</sup> Review of Merton Rule policies in four Local Planning Authorities in Cambridgeshire (RD/CC/030)

<sup>55</sup> RD/LP/030, question 19

<sup>56</sup> South Cambridgeshire Draft Final Sustainability Appraisal Report (RD/Sub/SC/060): Annex A, Chapter 4, pages A333-A334



38. The Viability Study<sup>57</sup> concluded that there is the potential to create viable residential schemes based on the Council's strategy as set out in the Local Plan. The study assumes that for residential developments the cost of meeting the requirements of Policy CC/3 through the installation of renewable or low carbon technologies to reduce carbon emissions would be £3,500 per dwelling<sup>58</sup>. It also considered the implications of non-residential buildings achieving a BREEAM standard, by including an assumption that it would be 5% of the construction costs<sup>59</sup>. The actual cost is likely to vary depending on the type of non-residential development. This cost was to achieve the complete BREEAM standard; therefore the cost of delivering just the carbon emissions reductions through the use of integrated renewable energy technologies would be much lower.
39. The NPPF<sup>60</sup> states that in determining planning applications, local planning authorities should expect new development to comply with adopted Local Plan policies unless it can be demonstrated that this is not feasible or viable. Additionally, evidence demonstrating that a policy would make a proposal not viable would be a material planning consideration when determining an application. It is therefore not considered necessary for this specific policy to include wording on viability.

#### **SC2C.iii**

**Is the policy too inflexible in prescribing that the carbon emissions reduction has to be achieved solely through on-site renewable energy technologies? Should the initiative for achieving compliance with the principle of the policy rest with the applicant?**

**AND**

#### **SC2C.iv**

**In seeking to achieve the carbon emissions reduction, should the policy adopt a fabric first approach in preference to on-site renewable energy technologies or integrated systems/site wide solutions?**

40. The policy is not too inflexible in prescribing that the carbon emissions reduction must be achieved solely through on-site renewable energy technologies, rather than seeking a fabric first approach to achieving carbon emissions reductions. The choice of which renewable or low carbon technology will be used to deliver compliance with the policy would rest with the applicant and should respond to the specific characteristics of the development proposed.
41. As set out in response to question SC2C.i above, local planning authorities can include policies in their Local Plan with requirements relating to the use of energy from renewable and low carbon sources in a development. Policy CC/3 is therefore consistent with the provisions included in national legislation. A policy setting out a fabric first approach to carbon emissions reductions, especially in relation to new

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<sup>57</sup> RD/T/220, paragraph 14

<sup>58</sup> RD/T/220, Appendix Ia

<sup>59</sup> RD/T/220, Appendix IIc

<sup>60</sup> RD/NP/010, paragraph 96

dwellings, would not be consistent with national policy as set out in the Written Ministerial Statement (25 March 2015)<sup>61</sup>, which does not allow local planning authorities to set any additional technical standards or requirements relating to the construction or performance of new dwellings.

42. The energy hierarchy sets out a preferred sequence for reducing carbon emissions, starting with reducing the need for energy by making changes to the design and fabric of a building ('fabric first') and using energy more efficiently within the building, and finishing with supplying energy from renewable sources. All developments should already be adopting a fabric first approach to reducing carbon emissions as Building Regulations requirements relating to energy efficiency of new buildings are generally achieved through the design and fabric of the building.
43. By requiring the additional 10% reduction in carbon emissions to be met through the installation of renewable or low carbon energy technologies, Policy CC/3 will provide additional benefits beyond simply reducing the carbon emissions from a development. The policy updates the Council's adopted planning policy<sup>62</sup>, which alongside supporting national targets for renewable energy generation, plays an important role in delivering:
- onsite carbon reduction levels beyond those achieved through building fabric and construction measures;
  - renewable energy as an increasingly standard feature of new developments in response to concerns over rising 'grid-supplied' energy prices and security of supply; and
  - a strengthened supply chain (ideally locally) for the manufacture, installation, service and maintenance of renewable energy technologies (providing a local economic benefit).
44. Policy CC/3 is consistent with the National Planning Policy Framework (NPPF), in that it will support the transition to a low carbon future<sup>63</sup> and contribute to the delivery of renewable and low carbon energy technologies<sup>64</sup>.

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<sup>61</sup> RD/Gov/200

<sup>62</sup> Policy NE/3, Development Control Policies DPD (July 2007) (RD/AD/110)

<sup>63</sup> RD/NP/010, paragraph 17

<sup>64</sup> RD/NP/010, paragraph 93

**SC2D – Policy CC/4: Sustainable Design and Construction**

**SC2D.i**

**Does the policy, as proposed to be modified, now accord with the new standards introduced following the Written Ministerial Letter dated 25 March 2015 and the subsequent government ‘Fixing the Foundations’ document and with the provisions of PPG paragraphs 014 Ref ID: 56-014-20150327 and 015 Ref ID: 56-015-20150327 which indicate that “where there is a clear local need then a local planning authority can set out Local Plan policies requiring new (housing) developments to meet the tighter Building Regulations’ optional water efficiency requirement of 110 litres/person/day”?**

45. Policy CC/4, as proposed to be modified<sup>65</sup>, accords with the guidance set out in the Written Ministerial Statement (WMS) (25 March 2015)<sup>66</sup> and ‘Fixing the Foundations’<sup>67</sup>, and the provisions included in paragraphs 014 and 015 of the Planning Practice Guidance (PPG)<sup>68</sup> which relate to the optional water efficiency requirement.
46. South Cambridgeshire is in an area of water stress as designated by the Environment Agency<sup>69</sup>. Water is a finite resource, and abstraction can have environmental costs. In order to secure long term sustainable development, it is important that all new developments implement water efficiency standards.
47. The National Planning Policy Framework<sup>70</sup> (NPPF) requires local planning authorities to work with other authorities and providers to assess the quality and capacity of infrastructure for water supply and its ability to meet forecast demands. Cambridge Water Company’s Resources Management Plan<sup>71</sup> shows that beyond 2035, without additional resources or greater efficiency, the need for water to serve development will be greater than the currently available supply. Cambridge Water Company (now South Staffordshire Water – Cambridge Region) are therefore carrying out an enhanced programme of installing water meters to encourage reduced water use and are raising awareness of the need to save water, but the company also recognises the role of planning in delivering water efficiency in new communities.
48. Reflecting these local circumstances, Policy CC/4, as submitted in the South Cambridgeshire Local Plan (March 2014)<sup>72</sup>, required higher water efficiency standards than Building Regulations. The efficiency measures necessary to achieve the higher standard could be delivered for a relatively low additional cost. The Environment Agency supported Policy CC/4 as a water efficiency standard of 105

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<sup>65</sup> South Cambridgeshire Local Plan – Schedule of Proposed Modifications (March 2016) (RD/MC/150), Modifications PM/SC/4/E and PM/SC/4/F, pages 37-41

<sup>66</sup> RD/Gov/200

<sup>67</sup> RD/CC/460

<sup>68</sup> RD/NP/020, paragraph 014 Ref ID: 56-014-20150327 and paragraph 015 Ref ID: 56-015-20150327

<sup>69</sup> Water stressed areas – final classification (July 2013) (RD/CC/490), South Cambridgeshire District Council falls within the Cambridge Water Company area.

<sup>70</sup> RD/NP/010, paragraph 162

<sup>71</sup> RD/CC/090 and RD/CC/100

<sup>72</sup> RD/Sub/SC/010

litres per person per day “*is necessary to ensure that South Cambridgeshire has sufficient water for the plan period and some resilience into the future with climate change and further growth*”<sup>73</sup>. Cambridge Water Company also supported Policy CC/4 (as submitted in March 2014) as a water efficiency standard of 105 litres per person per day would help to protect water resources availability into the 2050s and beyond (see Appendix 3).

49. The changes to national planning policy introduced through the WMS (25 March 2015)<sup>74</sup>, and set out in the PPG<sup>75</sup>, allow an optional new standard for water efficiency to be required through Local Plan policies provided that they address a clearly evidenced need and that their impact on viability has been considered. The PPG<sup>76</sup> advises that a local planning authority should establish a clear need based on existing sources of evidence, such as the Environment Agency Water Stressed Areas Classification and water resource management plans, as well as through consultations with the local water and sewerage company and the Environment Agency.
50. The need for the optional water efficiency standard in South Cambridgeshire has been clearly demonstrated. The Environment Agency and the Cambridge Water Company both support the proposed modifications which set a requirement for new residential developments to meet the optional technical standard for water efficiency<sup>77</sup>. The evidence (as set out above and in the Audit Trail<sup>78</sup>) used to justify Policy CC/4 in the submitted South Cambridgeshire Local Plan<sup>79</sup>, including the district being in an area of water stress, can also be used to justify the requirement for developments to meet the optional technical standard. The optional technical standard for water efficiency of 110 litres per person per day is broadly consistent with the water efficiency standard of 105 litres per person per day, which was included in the submitted South Cambridgeshire Local Plan<sup>80</sup>.
51. The additional reduction in water use in residential developments (compared to Building Regulations) necessary to achieve either the requirement of 105 litres per person per day or 110 litres per person per day can be delivered at a relatively low additional cost. The costs of achieving higher levels of water efficiency were explored in the Cambridge Area Water Cycle Strategy 2011<sup>81</sup>. Reducing water consumption to

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<sup>73</sup> Environment Agency, representation 59669 to Proposed Submission Local Plan consultation in Summer 2013

<sup>74</sup> RD/Gov/200

<sup>75</sup> RD/NP/020, paragraph 014 Ref ID: 56-014-20150327 and paragraph 015 Ref ID: 56-015-20150327

<sup>76</sup> RD/NP/020, paragraph 015 Ref ID: 56-015-20150327 and paragraph 016 Ref ID: 56-016-20150327

<sup>77</sup> Statement of Common Ground between South Cambridgeshire District Council and Environment Agency in respect of Chapter 4 of the South Cambridgeshire Local Plan and Matter SC2: Climate Change (RD/SCG/470) and Letter of Support from Cambridge Water Company (see Appendix 4 of this statement)

<sup>78</sup> South Cambridgeshire Draft Final Sustainability Appraisal Report (RD/Sub/SC/060): Annex A, Chapter 4, pages A344-A354

<sup>79</sup> RD/Sub/SC/010

<sup>80</sup> RD/Sub/SC/010

<sup>81</sup> Water Cycle Strategy (RD/CC/080), Phase 2: Detailed Strategy, page 26

105 litres per person per day adds a minimal cost of £268 per property and can be achieved through the use of alternative fixtures and fittings that use less water.

52. The impact on viability has been fully considered. The Viability Study<sup>82</sup> concluded that there is the potential to create viable residential schemes based on the Council's strategy as set out in the Local Plan. The Viability Study included assumptions on costs for delivering homes designed to achieve Code for Sustainable Homes (CfSH) Levels 4, 5 and 6<sup>83</sup>. Policy CC/4 requires new dwellings to achieve the equivalent of the water efficiency requirement of CfSH Level 4, and therefore a dwelling designed to achieve CfSH Level 4 would deliver the requirements of this policy and also other sustainability benefits. Although the CfSH has now been withdrawn, the assumptions of costs and findings of the Viability Study in relation to delivering homes designed to meet the different CfSH levels are still relevant.
53. The requirement to achieve the optional technical standard for water efficiency was considered in the viability update<sup>84</sup>, which concluded that the additional costs of attaining the optional water efficiency standard are in the region of £6-£9 per dwelling and that this would have a marginal impact on scheme viability.
54. Countryside Properties and the Taylor Family through their representation<sup>85</sup> to the Proposed Modifications Consultation in Winter 2015 requested that an element of flexibility is included in Policy CC/4 to allow a holistic approach to internal and external water efficiency to be used and alternative proposals to be considered. The WMS (25 March 2015)<sup>86</sup> sets out the Government's approach to the setting of technical standards, including that local planning authorities should not set local standards or requirements relating to the construction or performance of new dwellings. It is therefore not appropriate for Policy CC/4 to amend the optional standard by including an additional clause(s) as this would not be consistent with national policy. The methodology used to measure compliance with either the mandatory or optional water efficiency standards is set out nationally in Building Regulations.

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<sup>82</sup> RD/T/220, paragraph 14

<sup>83</sup> RD/T/220, appendix Ia

<sup>84</sup> Cambridge and South Cambridgeshire Local Plans Viability Update (November 2015) (RD/MC/090), pages 22-23

<sup>85</sup> Countryside Properties and Taylor Family, representation 65716 to Proposed Modification consultation in Winter 2015

<sup>86</sup> RD/Gov/200

**SC2D.ii**

**Does criterion 2 accord with paragraph 174 of the National Planning Policy Framework, and the Planning Practice Guidance (PPG) 009 Ref ID: 6-009-20150327? Should the policy therefore take full account of the potential effect on the viability of a proposal?**

55. Criterion 2 of Policy CC/4 is consistent with paragraph 174 of the NPPF<sup>87</sup> and paragraph 009 of the PPG<sup>88</sup>, and the potential effect of the policy on viability has been fully taken into account.
56. The PPG<sup>89</sup> allows local requirements to be included in a Local Plan provided that engagement has been undertaken with appropriate partners, and the requirements are based on robust and credible evidence and pay careful attention to viability. Policy CC/4 has been subject to public consultation at key stages in the preparation of the Local Plan, and has the support of key stakeholders including the Environment Agency<sup>90</sup> and Cambridge Water Company. Appendices 3 and 4 are letters from Cambridge Water Company that demonstrate their support for a water efficiency requirement for non-residential buildings.
57. The BREEAM (Building Research Establishment Environmental Assessment Method) standard for non-residential buildings is used to evaluate the environmental performance of a building, and takes into account consideration of a range of factors including an assessment of its water efficiency. Using the BREEAM standard to quantify the requirement offers a practical way of demonstrating water efficiency.
58. The costs for increasing the water efficiency of new non-residential buildings were not included in the Water Cycle Strategy, however a high level of water efficiency in non-residential buildings is generally less costly as a percentage of the overall construction cost to implement than in dwellings and therefore has a smaller impact on potential viability. The policy requirement to achieve the BREEAM standard of 2 credits for water use can be achieved through the use of water efficient fixtures and fittings and therefore at minimal cost<sup>91</sup>.
59. The Viability Study<sup>92</sup> considered the implications of non-residential buildings achieving a BREEAM standard, by including an assumption that it would be 5% of the construction costs. The actual cost is likely to vary depending on the type of non-residential development. This cost was to achieve the complete BREEAM standard; therefore the cost of achieving only the water efficiency measures equivalent to 2 credits for water use would be much lower.

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<sup>87</sup> RD/NP/010

<sup>88</sup> RD/NP/020

<sup>89</sup> RD/NP/020, paragraph 009 Ref ID: 6-009-20150327

<sup>90</sup> Environment Agency, representation 59669 to Proposed Submission Local Plan consultation in Summer 2013

<sup>91</sup> South Cambridgeshire Draft Final Sustainability Appraisal Report (RD/Sub/SC/060): Annex A, Chapter 4, pages A352-A353

<sup>92</sup> RD/T/220, Appendix IIc

60. Policy NE/12 of the adopted Development Control Policies DPD<sup>93</sup> already requires non-residential developments to incorporate all practicable water conservation measures. Developers are therefore already including water efficiency measures in their schemes. For example, proposals for a new office building and an amenity building at Granta Park, Great Abington, include water efficient fixtures and fittings as part of their design<sup>94</sup>, and a proposed new research and development building at The Wellcome Trust, Hinxton, includes proposals for rainwater harvesting as well as water efficient fixtures and fittings<sup>95</sup>.

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<sup>93</sup> RD/AD/110

<sup>94</sup> S/2254/15/FL (office building, granted planning permission in December 2015); S/1315/15/FL (amenity building, granted planning permission in February 2016)

<sup>95</sup> S/2968/14/RM (granted planning permission in March 2015)

**SC2E – Policy CC/5: Sustainable Show Homes**

**SC2E.i**

**Does the policy accord with paragraph 174 of the National Planning Policy Framework, and the Planning Practice Guidance (PPG) 009 Ref ID: 6-009-20150327 [as set out in question SC2C(i) above]? Is there credible and robust evidence to justify the policy? Should the policy take full account of the potential effect on the viability of a proposal?**

**AND**

**SC2E.ii**

**Are criteria 2 and 3 consistent with national policy which places the initiative with the developer to choose how carbon reduction targets are met rather than the end user?**

61. Policy CC/5 is in accordance with paragraph 174 of the National Planning Policy Framework (NPPF)<sup>96</sup> and paragraph 009 of the Planning Practice Guidance (PPG)<sup>97</sup>, there is credible and robust evidence to justify the policy, and the impact of the requirement on viability of a proposal had been fully taken into account.
62. The Council introduced the policy as it recognised the benefits of achieving higher standards of sustainability even though the South Cambridgeshire Local Plan<sup>98</sup> did not specify higher environmentally sustainable standards in its policies than those required through Building Regulations, except in the policies on water efficiency and the generation of onsite renewable energy. A sustainable show home demonstrating environmentally sustainable alternatives was considered justified to encourage home buyers to upgrade the sustainability of their new home from the standard specification by choosing more environmentally sustainable finishes, materials, fixtures and technologies.
63. Sustainable show homes were secured at Trumpington Meadows and on the Cambourne 950 development through their s106 agreements.
64. Home buyers are not required to choose any of the environmentally sustainable alternatives offered. The provision of a sustainable show home and the upgrading of the environmental sustainability of any of the homes within the scheme is not part of the development being able to meet its carbon reduction targets. The scheme proposed by the developer should be able to demonstrate that it has met the carbon reduction targets required (through other policies in the South Cambridgeshire Local Plan<sup>99</sup> and Building Regulations) without any home buyers choosing to upgrade the environmental sustainability of their homes. The developer therefore still has a choice in how the carbon reduction targets for the development are met.

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<sup>96</sup> RD/NP/010

<sup>97</sup> RD/NP/020

<sup>98</sup> RD/Sub/SC/010

<sup>99</sup> RD/Sub/SC/010



65. The PPG<sup>100</sup> allows local requirements to be included in a Local Plan provided that engagement has been undertaken with appropriate partners. Policy CC/5 has been subject to public consultation at key stages in the preparation of the Local Plan, and the majority of respondents to the consultation on the South Cambridgeshire Issues and Options Report (July 2012)<sup>101</sup> supported the inclusion of a policy that requires sustainable show homes to be provided.
66. The Council recognises that it would not be viable for some local housebuilders delivering small developments to provide a sustainable show home or provide bespoke homes including a mixture of options<sup>102</sup>. However, where developers would already be providing a show home, the policy includes a requirement to provide a sustainable show home either in addition to or instead of the show home. The developer is required to fund and install fully functional environmentally sustainable alternatives in the show home; however the cost of installation of environmentally sustainable alternatives in any of the other homes on the development will be funded by the home buyer.
67. The impact on viability has been fully considered. The Viability Study<sup>103</sup> included assumptions on costs for delivering homes designed to achieve Code for Sustainable Homes (CfSH) Levels 4, 5 and 6. Within the Viability Study<sup>104</sup>, the sustainable design and construction costs were applied to all the dwellings within each of the different development proposal scenarios tested. The study concluded that there is the potential to create viable residential schemes based on the Council's strategy as set out in the Local Plan<sup>105</sup>. Although the CfSH has now been withdrawn, the assumptions of costs and findings of the Viability Study in relation to delivering homes designed to meet the different CfSH levels are still relevant.
68. A sustainable show home is likely to be the equivalent of delivering a home designed to CfSH Level 5, and a developer would only be required to provide one dwelling designed to this standard. The requirement to provide a sustainable show home as set out in Policy CC/5 will therefore be less costly to a developer than delivering all homes designed to either CfSH Levels 5 or 6 across the whole development. The requirement to provide a sustainable show home will therefore have a limited impact on the viability of a scheme.

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<sup>100</sup> RD/NP/020, paragraph 009 Ref ID: 6-009-20150327

<sup>101</sup> RD/LP/030, question 22

<sup>102</sup> South Cambridgeshire Draft Final Sustainability Appraisal Report (RD/Sub/SC/060): Annex A, Chapter 4, pages A359-A360

<sup>103</sup> RD/T/220, appendix 1a

<sup>104</sup> RD/T/220

<sup>105</sup> RD/T/220, paragraph 14

**SC2E.iii**

**Would criterion 3 be enforceable? What would constitute an ‘unreasonable premium’ and how would it be quantified?**

69. The Council considers that criterion 3 is enforceable, as the wording reflects that used in the terms of the s106 agreements. An unreasonable premium can be defined and therefore quantified.
70. Sustainable show homes were secured at Trumpington Meadows and on the Cambourne 950 development through their s106 agreements. Appendix 5 includes extracts from both s106 agreements that relate to the provision of sustainable show homes. Both these agreements set out that the environmentally sustainable alternatives for finishes, materials, fixtures and technologies must be offered at a price (including cost of delivery and/or installation) that reflects the same profit margin to the developers as other standard buyer’s options or extras. This is defined in the Trumpington Meadows s106 agreement as the options being available at ‘reasonable cost’. The s106 agreement also states that the developer must ensure that no unreasonable premiums are added for these options.
71. The Council would not object to a modification to criterion 3 to replace the wording relating to unreasonable premiums with the more detailed explanation used in the s106 agreement for Trumpington Meadows. The modification could read:

‘It must be as practical as possible for the purchaser to buy the sustainable alternatives as to purchase the standard options and ~~unreasonable premiums should not be added for~~ the environmentally friendly options **must be offered at a price (including cost of delivery and/or installation) that reflects the same profit margin to the developer as other standard buyer’s options or extras.**’

## **SC2F – Policy CC/6: Construction Methods**

### **SC2F.i**

**Is the policy justified as currently worded? Should criterion 4 be made more flexible and proportionate by setting out a development quantum threshold (e.g. the threshold for major development) below which the submission of supporting documents for a proposal would not be required?**

72. Policy CC/6 is justified as currently worded. Criterion 4 is flexible and allows the supporting documents submitted to be proportionate to the proposal.
73. The construction process for any new development utilises a significant amount of resources, generates construction waste and spoil, and can adversely affect the amenity of surrounding occupiers and the local natural environment, through the generation of noise, smells and dust. The National Planning Policy Framework (NPPF) states that the planning system should seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings<sup>106</sup>, protect and enhance soils<sup>107</sup>, and use natural resources prudently<sup>108</sup>, including through the reuse of existing resources<sup>109</sup>.
74. The Council's adopted Local Development Framework includes a policy for construction methods (Policy DP/6 in the adopted Development Control Policies DPD<sup>110</sup>), and this policy has been updated for inclusion in the South Cambridgeshire Local Plan<sup>111</sup>. The Council sought views on whether to continue to include a construction methods policy in the Local Plan during the public consultation on the Issues & Options Report (July 2012)<sup>112</sup>. There was general agreement that the Local Plan should continue to include a policy as this ensures a consistency of approach<sup>113</sup>.
75. The nature and / or extent of a new development will have an effect on the level of impact its construction will have on the local environment and amenity of neighbouring properties and also on the generation of waste. To ensure that this policy is considered when determining any planning application, no threshold is included, however, the level of information required to be submitted will depend on the nature and extent of the development<sup>114</sup>.
76. Criterion 4 sets out the requirement for supporting documents, including a Construction Environmental Management Plan (CEMP) or similar document, to be

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<sup>106</sup> RD/NP/010, paragraph 17

<sup>107</sup> RD/NP/010, paragraph 109

<sup>108</sup> RD/NP/010, paragraph 7

<sup>109</sup> RD/NP/010, paragraph 17

<sup>110</sup> RD/AD/110

<sup>111</sup> RD/Sub/SC/010

<sup>112</sup> RD/LP/030, question 23

<sup>113</sup> South Cambridgeshire Draft Final Sustainability Appraisal Report (RD/Sub/SC/060): Annex A, Chapter 4, pages A363

<sup>114</sup> South Cambridgeshire Draft Final Sustainability Appraisal Report (RD/Sub/SC/060): Annex A, Chapter 4, page A364

submitted with any planning application to demonstrate how the development will comply with Policy CC/6. It is recognised that not all developments will need to have a CEMP, however the policy allows a similar document to be submitted which can be proportionate to the nature and extent of the development. The inclusion of 'or similar document' was intended to provide flexibility.

77. For clarity, the Council would support a modification to add an additional sentence to the end of criterion 4 to read:

'Applicants must submit supporting documents with any planning application to demonstrate how their development will comply with this policy; this should include a Construction Environmental Management Plan (**CEMP**) or similar document and may include registration with the Considerate Constructors Scheme. **The level of information provided in the supporting documents, including CEMP or similar document, should be proportionate to the scale and nature of the proposed development.**'

## **SC2G – Policy CC/8: Sustainable Drainage Systems**

### **SC2G.i**

#### **Should the policy set out the arrangements for the future management of SuDS for large scale settlements and urban extensions?**

78. It is not necessary or appropriate for Policy CC/8 to set out the detailed arrangements for the future management of Sustainable Drainage Systems (SuDS) for large scale settlements and urban extensions.
79. The Planning Practice Guidance (PPG)<sup>115</sup> sets out that “*in considering a development that includes a sustainable drainage system the local planning authority will want to be satisfied that the proposed minimum standards of operation are appropriate and that there are clear arrangements in place for ongoing maintenance*” and guidance is also included in the national non-statutory technical standards<sup>116</sup>.
80. Policy CC/8 sets out in criterion f a requirement that any proposals for SuDS should demonstrate that arrangements have been established for the whole life management and maintenance of the surface water drainage systems. The policy therefore reflects national planning guidance.
81. There is not a single organisation or body with a statutory duty to adopt, manage and maintain SuDS and therefore individual sites will have bespoke, unique arrangements for the future management and maintenance of SuDS. It would therefore not be appropriate for the South Cambridgeshire Local Plan<sup>117</sup> to include detailed guidance on this matter given the range of options available to developers, and that these options will also evolve over the life of the plan.
82. It is more appropriate to address the future management of SuDS through a Supplementary Planning Document (SPD) and other guidance that can be kept up to date. Guidance on the adoption and management arrangements for all SuDS schemes in South Cambridgeshire will be included in the Cambridgeshire Flood and Water SPD and accompanying ‘Adoption and Maintenance of Sustainable Drainage Systems in South Cambridgeshire’.
83. The Cambridgeshire Flood and Water SPD is already being prepared, in conjunction with the other local planning authorities in Cambridgeshire. Cambridgeshire County Council is leading on the preparation of the Cambridgeshire Flood and Water SPD. The draft SPD<sup>118</sup> was subject to public consultation in September – October 2015. The SPD was endorsed by Cambridgeshire County Council in July 2016 and is anticipated to be adopted by South Cambridgeshire and the other local authorities in Autumn 2016 once it has been agreed by Members (Councillors) at each local planning authority.

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<sup>115</sup> RD/NP/020, paragraph 081 Reference ID: 7-081-20150323

<sup>116</sup> Non-statutory technical standards for sustainable drainage systems (RD/CC/470)

<sup>117</sup> RD/Sub/SC/010

<sup>118</sup> Draft Cambridgeshire Flood and Water Supplementary Planning Document (RD/SPD/270)

84. In South Cambridgeshire, the SPD will initially be adopted as supplementary planning guidance to adopted planning policies in the Development Control Policies DPD<sup>119</sup>. Once the South Cambridgeshire Local Plan is adopted, it is intended that the SPD will be re-adopted as supplementary planning guidance to its planning policies.
85. The SPD, as proposed for adoption, includes guidance on the adoption and maintenance of SuDS. To accompany the SPD, the Council produced a guidance note on the 'Adoption and Maintenance of Sustainable Drainage Systems in South Cambridgeshire'<sup>120</sup>. This was subject to public consultation alongside the draft SPD, and will be endorsed by the Council alongside the adoption of the SPD.
86. South Cambridgeshire District Council will not generally adopt and / or maintain SuDS. The Council therefore expects as part of any planning application including SuDS that the applicant will provide information to demonstrate that suitable adoption and maintenance arrangements are in place. The guidance sets out the options available for applicants to secure the adoption and maintenance of SuDS, for example choosing Anglian Water, a Parish Council, or a management company to adopt and maintain the SuDS within their development.
87. The Council has proposed modifications<sup>121</sup> to Policy CC/8 and its supporting text, that were subject to public consultation in Winter 2015, to ensure consistency with the Written Ministerial Statement (18 December 2014)<sup>122</sup>. These modifications set out requirements for any SuDS schemes to comply with the national non-statutory technical standards and the Cambridgeshire Flood and Water SPD, or successor documents.

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<sup>119</sup> RD/AD/110

<sup>120</sup> 'Adoption and Maintenance of Sustainable Drainage Systems in South Cambridgeshire' (RD/SPD/271)

<sup>121</sup> South Cambridgeshire Local Plan – Schedule of Proposed Modifications (March 2016) (RD/MC/150), Modifications PM/SC/4/G and PM/SC/4/I, pages 42-43

<sup>122</sup> RD/Gov/210

## **SC2H – Policy CC/9: Managing Flood Risk**

### **SC2H.i**

**Should criterion 1(a) clarify that re-development sites should adopt the same approach to surface water drainage as undeveloped sites?**

**AND**

### **SC2H.ii**

**Is the requirement in criterion 1(a) for floor levels to be 300mm above adjacent highway levels realistic/relevant given that in some areas of the district the site levels may be significantly lower than the highway? Should the requirement relating to the 1:100 year flood level take precedent?**

88. The approach to surface water drainage should be the same for redevelopment sites and undeveloped sites. The requirement in criterion a for floor levels to be 300mm above the adjacent highway level is realistic and relevant for the district, however where it is not practical to achieve both criteria relating to floor levels, the requirement for floor levels to be 300mm above the 1 in 100 year flood level plus an allowance for climate change would take precedent.
89. Ensuring safe floor levels is a sensible precaution for all developments, whether on undeveloped sites or redevelopment sites. When considering flood risk, the guidance set out in the National Planning Policy Framework<sup>123</sup> does not distinguish between redevelopment sites and undeveloped sites. Policy CC/9 should therefore not specify that the criteria relating to floor levels only apply to undeveloped sites.
90. The raising of floor levels above the anticipated maximum flood level ensures that the interior of the property is not directly affected by flooding in that event, avoiding damage to furnishings, wiring and interior walls. The requirement for floor levels to be 300mm above the 1 in 100 year flood level plus an allowance for climate change is based on Environment Agency advice and good practice, and is a sound policy requirement<sup>124</sup>. The Environment Agency support this requirement<sup>125</sup>. The Strategic Flood Risk Assessment<sup>126</sup> includes a Flood Risk Assessment toolkit providing guidance on the appropriate treatment of climate change impacts, control of surface water runoff, implementation of appropriate SuDS techniques and consideration of residual risks. Within this it recommends that “*wherever possible, finished floor levels should be situated a minimum of 300mm above the 1 in 100 year plus climate change*”

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<sup>123</sup> RD/NP/010, paragraphs 100-104

<sup>124</sup> South Cambridgeshire Draft Final Sustainability Appraisal Report (RD/Sub/SC/060): Annex A, Chapter 4, pages A378-A379

<sup>125</sup> Environment Agency representation 59691 to Proposed Submission Local Plan consultation in Summer 2013; Statement of Common Ground between South Cambridgeshire District Council and Environment Agency in respect of Chapter 4 of the South Cambridgeshire Local Plan and Matter SC2: Climate Change (RD/SCG/470)

<sup>126</sup> RD/CC/150, Appendix E

*flood level*<sup>127</sup> as part of demonstrating that residual risks of flooding are effectively managed.

91. Surface water flood risk is an issue in South Cambridgeshire with the majority of areas of surface water flood risk being indicated at a depth of less than 300mm (based on the Environment Agency's Surface Water Flood maps<sup>128</sup>). Policy CC/9 aims to manage flood risk in these areas and also where existing rural drainage is limited and not to current standards. The requirement for floor levels to be 300mm above the adjacent highway level refers to highways immediately adjacent to the proposed development, and will not always be existing public highways. The requirement is intended to ensure that external ground levels fall away from the finished floor levels to ensure that the risk of the property flooding is minimised in the event of localised surface water flooding, blockages or exceedance events. The impact of the requirement on flow routes across the development should be considered through a Flood Risk Assessment. This requirement is in accordance with best practice as described in the CIRIA publication 'Designing for Exceedance in Urban Drainage – Good Practice'.
92. In some developments, it will not be practical to achieve both the requirement for floor levels to be 300mm above the 1 in 100 year flood level plus an allowance for climate change and the requirement for floor levels to be 300mm above adjacent highway levels. For example, in some areas the land may fall away from the adjacent highway and if the development is set back a considerable distance from the highway, to meet this requirement may raise the floor level such that disabled access would not be achievable. In these developments, the requirement for floor levels to be 300mm above the 1 in 100 year flood level plus an allowance for climate change would take precedent.
93. The Council would support a modification to criterion 1a to remove the reference to undeveloped sites and to make clear that the 1 in 100 year requirement would take precedent. Amend the second part of criterion a (which is subject to a modification<sup>129</sup> to make this a separate criterion) to read:

~~'For undeveloped sites, f~~Floor levels are 300mm above the 1 in 100 year flood level plus an allowance for climate change where appropriate and ~~or~~ **where appropriate and practicable also** 300mm above adjacent highway levels ~~where appropriate.'~~

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<sup>127</sup> RD/CC/150, Appendix E, paragraph A.4.6

<sup>128</sup> <http://watermaps.environment-agency.gov.uk/wiyby/wiyby.aspx?&topic=ufmfsw#x=357683&y=355134&scale=2>

<sup>129</sup> South Cambridgeshire Schedule of Proposed Minor Changes (RD/Sub/SC/040): Modification MC/4/09, page 5



**SC2H.iii**

**Would criterion 1(c) have the effect of seeking to restrict the surface water run-off rates for new developments on all sites, including brownfield sites, to below the equivalent greenfield run off rates for an undeveloped site? If so, is this realistic and achievable?**

94. The Council considers that it is realistic and achievable for Policy CC/9 to restrict surface water run-off rates to the equivalent of greenfield rates or lower.
95. In new developments, it is appropriate to seek the equivalent of greenfield run off rates as these proposals can offer an opportunity to reduce flood risk, especially where there are higher existing run off rates on brownfield sites<sup>130</sup>. The requirement will also avoid increasing flood risk from the development of greenfield sites. The Environment Agency's Risk of Flooding from Surface Water Maps<sup>131</sup> indicate that the majority of watercourses in South Cambridgeshire have a risk of surface water flooding. New redevelopment proposals where run-off rates are restricted to greenfield rates can reduce the existing downstream flood risk caused by the previous development that may have discharged at an unrestricted rate in excess of the greenfield rate.
96. The requirement is in accordance with the national guidance in the non-statutory technical standards for sustainable drainage systems<sup>132</sup> which states:
- “S3 For developments which were previously developed, the peak runoff rate from the development to any drain, sewer or surface water body for the 1 in 1 year rainfall event and the 1 in 100 year rainfall event must be as close as reasonably practicable to the greenfield runoff rate from the development for the same rainfall event, but should never exceed the rate of discharge from the development prior to redevelopment for that event.”*
97. The requirement is also in accordance with the recommendations in the Strategic Flood Risk Assessment<sup>133</sup> which states:
- “Based on the principles of SuDS, greenfield development will be required to manage surface water runoff in a sustainable way so as to mimic the existing (predevelopment) situation. Development on brownfield land, will be required to manage surface water runoff mimicking the existing situation or providing a reduction in runoff rates (betterment). These measures reduce the level of flood risk to the site and to off site areas.”*
98. The requirement is also consistent with guidance in the Code of Practice for Surface Water which states *“for previously developed sites, site run-off rates should be*

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<sup>130</sup> South Cambridgeshire Draft Final Sustainability Appraisal Report (RD/Sub/SC/060): Annex A, Chapter 4, pages A378-A379

<sup>131</sup> <http://watermaps.environment-agency.gov.uk/wiyby/wiyby.aspx?&topic=ufmfsw#x=357683&y=355134&scale=2>

<sup>132</sup> Non-statutory technical standards for sustainable drainage systems (RD/CC/470)

<sup>133</sup> RD/CC/150, paragraph 5.4.3

*reduced to the greenfield rates wherever practicable. Allowable discharge rates should not be greater than for the predevelopment scenario” and also guidance in the SuDS Manual which states “for previously developed sites, site runoff rates should be reduced to the greenfield rates wherever possible”.*

99. It is generally technically feasible to achieve greenfield rates or lower on most previously developed sites, and has been achieved on some very high density redevelopments in the centre of Cambridge. If the requirement cannot be achieved, or is not appropriate for biodiversity reasons, this would be a material consideration when considering a planning application; however the requirement in Policy CC/9 should remain the starting point.

#### **SC2H.iv**

##### **Should paragraph 4.37 also include Internal Drainage Boards as consultees?**

100. Yes, the Council has proposed a minor modification<sup>134</sup>, submitted alongside the South Cambridgeshire Local Plan<sup>135</sup> in March 2014, to amend paragraph 4.37 to include Internal Drainage Boards as one of the appropriate responsible bodies.
101. The Cambridgeshire Flood and Water SPD, once adopted, will provide more detailed guidance on the consultation that should be undertaken with the different responsible bodies during the pre-application or planning application processes. The draft SPD<sup>136</sup> includes a chapter outlining the roles and responsibilities of the different water management authorities and when to consult them in relation to flood risk and water management issues.

#### **SC2H.v**

##### **Should the policy provide detailed guidance in respect of:**

- **water supply and discharge safety issues; and**
- **the complex structure of stakeholders and the duties of statutory authorities in the application process; and**
- **the design, operation and management regimes?**

##### **Or could such guidance be delegated to a SPD?**

102. The Council considers that detailed guidance on managing flood risk including water supply and discharge safety issues, the structure of stakeholders and the duties of statutory authorities in the application process, and the design, operation and management regimes should be delegated to a SPD. Elements of some of these matters are outside of the control of the planning system and therefore a SPD can provide signposts to guidance on these matters to ensure that applicants are aware of their responsibility to consider them.

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<sup>134</sup> South Cambridgeshire Schedule of Proposed Minor Changes (RD/Sub/SC/040): Modification MC/4/13, page 5

<sup>135</sup> RD/Sub/SC/010

<sup>136</sup> Draft Cambridgeshire Flood and Water Supplementary Planning Document (RD/SPD/270), Chapter 3

103. A SPD, prepared in consultation with stakeholders, would usefully assist in the implementation of flood management policies<sup>137</sup>. In particular, the County Council as lead flood management authority can assist in its preparation. The Council proposed a minor modification<sup>138</sup>, submitted alongside the South Cambridgeshire Local Plan<sup>139</sup> in March 2014, to add an additional sentence to paragraph 4.36 relating to the preparation of a SPD to assist with the effective delivery and implementation of the policy.
104. As set out in the response to question SC2G.i above, the Cambridgeshire Flood and Water SPD<sup>140</sup> is currently being prepared and, once adopted, this will provide guidance on the implementation of flood and water related policies. These policies cover matters of flood risk (including the use of SuDS), water quality and water resources.

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<sup>137</sup> South Cambridgeshire Draft Final Sustainability Appraisal Report (RD/Sub/SC/060): Annex A, Chapter 4, pages A378-A379

<sup>138</sup> South Cambridgeshire Schedule of Proposed Minor Changes (RD/Sub/SC/040): Modification MC/4/12, page 5

<sup>139</sup> RD/Sub/SC/010

<sup>140</sup> Draft Cambridgeshire Flood and Water Supplementary Planning Document (RD/SPD/270), Chapter

## **Appendix 1: List of Reference Documents**

The Council's evidence in relation to SC2: Climate Change is set out in the following documents:

### **National policy:**

- National Planning Policy Framework (NPPF) (RD/NP/010)
- National Planning Practice Guidance (NPPG) (RD/NP/020)

### **Government regulations and acts**

- Planning Act 2008 (RD/Gov/070)
- Written Ministerial Statement (18 June 2015) (RD/Gov/190)
- Written Ministerial Statement (25 March 2015) (RD/Gov/200)
- Written Ministerial Statement (18 December 2014) (RD/Gov/210)
- Deregulation Act 2015 (RD/Gov/220)
- Planning and Energy Act 2008 (RD/Gov/230)

### **South Cambridgeshire District Council submission documents**

- Proposed Submission South Cambridgeshire Local Plan (RD/Sub/SC/010)
- South Cambridgeshire Schedule of Proposed Minor Changes (RD/Sub/SC/040)
- South Cambridgeshire Draft Final Sustainability Appraisal Report and HRA Screening Report (RD/Sub/SC/060)

### **Earlier Stages of Plan Making**

- South Cambridgeshire Issues & Options Report (July 2012) (RD/LP/030)

### **Adopted Development Plans**

- South Cambridgeshire Development Control Policies Development Plan Document (RD/AD/110)
- South Cambridgeshire Annual Monitoring Report 2014-2015 (RD/AD/460)

### **Supplementary Planning Documents, Guidance and Strategies**

- District Design Guide Supplementary Planning Document (RD/SPD/080)
- Draft Cambridgeshire Flood and Water Supplementary Planning Document (RD/SPD/270)
- Adoption and Maintenance of Sustainable Drainage Systems in South Cambridgeshire (RD/SPD/271)
- South Cambridgeshire District Council 'Local List' of Requirements (RD/SPD/280)

### **Climate Change and Managing Resources**

- Review of Merton Rule policies in four Local Planning Authorities in Cambridgeshire (RD/CC/030)
- Cambridge Area Water Cycle Strategy, Phase 2: Detailed Strategy (RD/CC/080)
- Cambridge Water Company's Resources Management Plan (2013 & 2010) (RD/CC/090 & RD/CC/100)
- Cambridge and South Cambridgeshire Level 1 Strategic Flood Risk Assessment (RD/CC/150)
- Fixing the Foundations: creating a more prosperous nation (RD/CC/460)

- Non-statutory technical standards for sustainable drainage systems (RD/CC/470)
- Water stressed areas – final classification (RD/CC/490)

#### **Transport and Infrastructure**

- Local Plan Submission & Community Infrastructure Levy Preliminary Draft Charging Schedule Consultation Viability Study (RD/T/220)

#### **Statements of Common Ground**

- Statement of Common Ground between SCDC and Environment Agency regarding Climate Change Policies (RD/SCG/470)

#### **Modifications Consultation**

- Cambridge and South Cambridgeshire Modifications Consultation Report (December 2015) (RD/MC/010)
- Cambridge and South Cambridgeshire Local Plans Viability Update (November 2015) (RD/MC/090)
- Proposed Modifications arising from the Government's Written Ministerial Statements (November 2015) (RD/MC/100)
- Proposed Modifications – Report on Consultation (March 2016) (RD/MC/120)
- South Cambridgeshire Local Plan – Schedule of Proposed Modifications (March 2016) (RD/MC/150)

## Appendix 2: List of Proposed Modifications to South Cambridgeshire Local Plan

The proposed modifications set out below relate to a number of policies and their supporting text in Chapter 4: Climate Change of the South Cambridgeshire Local Plan<sup>141</sup>. Text to be deleted is shown as a ~~strikethrough~~ and text to be added is shown in **bold and underlined**.

The references to page and paragraph numbers in the table below do not take account of the deletion or addition of text proposed through modifications submitted previously.

Page	Policy/Paragraph	Modification	Justification
84	<b>Policy CC/1: Mitigation and Adaptation to Climate Change</b>	Add an additional sentence to the end of the policy to read:  ‘... <b><u>The level of information provided in the Sustainability Statement should be proportionate to the scale and nature of the proposed development.</u></b> ’	For clarity, the Council would support a modification to Policy CC/1 to make it clear that a Sustainability Statement should include information proportionate to the scale and nature of the proposal.
86	<b>Policy CC/2: Renewable and Low Carbon Energy Generation</b>	Amend criterion 1a to read:  ‘the development <b><u>and any associated infrastructure</u></b> , either individually or cumulatively with other developments, ...’  Amend criterion 1b to read:  ‘the development can be connected efficiently to existing national energy infrastructure, <b><u>or by direct connection to an associated development or community project,</u></b> <del>or it can be demonstrated that the energy generated would be used for onsite needs only</del> ’	The Council would support a modification to criterion 1b of Policy CC/2, alongside a modification to criterion 1a to ensure that any adverse impacts from any additional transmission infrastructure are considered.
89	<b>Policy CC/5: Sustainable Show</b>	Amend criterion 3 to read:	The Council would not object to a modification to criterion 3 to

<sup>141</sup> RD/Sub/SC/010

	<b>Homes</b>	‘It must be as practical as possible for the purchaser to buy the sustainable alternatives as to purchase the standard options and <del>unreasonable premiums should not be added</del> for the environmentally friendly options <b><u>must be offered at a price (including cost of delivery and/or installation) that reflects the same profit margin to the developer as other standard buyer’s options or extras.</u></b> ’	replace the wording relating to unreasonable premiums with the more detailed explanation used in the s106 agreement for Trumpington Meadows.
90	<b>Policy CC/6: Construction Methods</b>	Add an additional sentence to the end of criterion 4 to read:  ‘Applicants must submit supporting documents with any planning application to demonstrate how their development will comply with this policy; this should include a Construction Environmental Management Plan <b><u>(CEMP)</u></b> or similar document and may include registration with the Considerate Constructors Scheme. <b><u>The level of information provided in the supporting documents, including CEMP or similar document, should be proportionate to the scale and nature of the proposed development.</u></b> ’	For clarity, the Council would support a modification to add an additional sentence to the end of criterion 4 to make it clear that the supporting documents should be proportionate to the scale and nature of the proposed development.
93-94	<b>Policy CC/9: Managing Flood Risk</b>	Amend the second part of criterion a (which is subject to a previous modification to make this a separate criterion) to read:  ‘ <del>For undeveloped sites, f</del> lloor levels are 300mm above the 1 in 100 year flood level plus an allowance for climate change where appropriate and/ <del>or</del> <b><u>where appropriate and practicable also</u></b> 300mm above adjacent highway levels <del>where appropriate.</del> ’	The Council would support a modification to criterion 1a to remove the reference to undeveloped sites and to make clear that the 1 in 100 year requirement would take precedent.

Matter SC2: Climate Change  
Statement by South Cambridgeshire District Council  
September 2016

**Appendix 3: Letter from Cambridge Water Company in Support of Water Efficiency Standards (September 2014)**



10 September 2014

**CAMBRIDGE**  
**WATER**  
**COMPANY**

Mr Jonathan Dixon  
Principal Planning Officer  
South Cambridgeshire District Council  
Cambourne Business Park  
Cambourne  
CB23 6EA

**Cambridge Water**

90 Fulbourn Road

Cambridge

CB1 9JN

[www.cambridge-water.co.uk](http://www.cambridge-water.co.uk)

Email: [info@cambridge-water.co.uk](mailto:info@cambridge-water.co.uk)

Telephone: 01223 706050

Fax: 01223 214052

Dear Jonathan,

### **South Cambridgeshire District Council Draft Local Plan 2014**

Thank you for inviting us to comment on the South Cambs Local Plan 2014, and for seeking our views on water resources in the consultation period. We are pleased to support the policies for reducing water consumption in new dwellings and non-residential developments included in the local plan, and the principles of supporting sustainable development and water management. I have further summarised our comments on these below.

#### **Policy CC/4 Sustainable Design and Construction**

The target for water consumption of 105 litres/head/day, equivalent to the Code for Sustainable Homes Level 4 aligns with Cambridge Water's aspirations for new dwellings, as this goes beyond the building regulations minimum standard. Whilst we cannot impose this for new development, with the proposed growth in the South Cambridge area, dwellings built to this standard will help protect water resources availability into the 2050s, and beyond. The planning process is appropriate for encouraging the adoption of higher sustainable building standards.

Paragraph 4.20 in the local plan states that the Cambridge Water area is in an area of serious water stress. This definition has been revised by the Environment Agency, and the Company is no longer an area of serious water stress, although the catchments in the area supplied are either over abstracted or licence, so there will be future stress on available resources. Consequently, the Company has no enhanced meter installation programme at this time, although we do encourage customers to change to a metered supply and to conserve water. Future changes to the abstraction regime as a result of the Water Framework Directive are likely to impose further constraints on availability of water, and this will be reflected in future water resources plans and metering strategies. It is therefore important that new development is constructed to meet high standards of water efficiency today, to help protect future water resources.

## **New Settlements**

Ensuring significant new developments are sustainable and conserve future water resources by offsetting water demand through water re-use and recycling to conserve water in the environment where practicable, is a key part of Cambridge Waters long term vision. We believe managing potable water supply demands in this way to be the most sustainable use of water resources, and would encourage preference to developments that aim to achieve the highest standards of water consumption.

Continued promotion of water efficiency is a key objective for Cambridge Water, this is our duty as stated in the Water Act, and is important in the management of demand for water. Accordingly, we set ourselves annual consumption targets, and have a continuing programme of engagement to promote and support customers on water efficiency measures.

Yours Sincerely

Daniel Clark

Environmental Manager

**Appendix 4: Letter from South Staffordshire Water (Cambridge Region) in Support of Water Efficiency Standards (August 2016)**



DNC/SCambs LDP/P1.10



South Staffs Water

Green Lane, Walsall WS2 7PD  
www.south-staffs-water.co.uk

10<sup>th</sup> August 2016

Jenny Nuttycombe  
Senior Planning Officer  
South Cambridgeshire Hall  
Cambourne Business Park  
Cambourne  
Cambridge  
CB23 6EA

Dear Jenny,

### **South Cambridgeshire Local Plan**

Thank you for your invitation to comment on Policy CC/4 of your proposed Local Plan relating to efficient water use in new developments.

In the Cambridge region, South Staffordshire Water supports greater water efficiency measures for new development beyond the minimum specified in the Building Regulations (Part H) standards of 125 litres per person per day. In an area of high growth, and water stress, we would favour domestic dwelling water consumption designed to 80 litres per person per day (equivalent to the former Code for Sustainable Homes Level 5/6), where this is practical to achieve.

We would therefore support the local authority proposal of setting the requirement for new developments to meet the higher Building Regulations standards for water consumption of 110 litres per person per day.

To further progress sustainable development, we support your policy that non-residential developments should achieve a minimum water efficiency standard equivalent to two credits for water use levels in the BREEAM standard.

Under our duty within the Water Act 1991, as amended 2013, South Staffordshire water has produced a Water Resources Management Plan (WRMP) for the Cambridge Resources Zone, formerly the Cambridge Water statutory area of supply. The current WRMP approved by the secretary of state, published in 2014, indicates a deficit of resources in the Cambridge region could occur beyond 2035.

WRMPs are updated every 5 years to take account of changes to available resource, growth and water use. The next draft WRMP is due to be consulted on in 2018. We expect some changes due to the implementation of the Water Framework Directive (WFD). Whilst there remains uncertainty around the scale of the impact of this on available water supplies, there is likely to be less water available and therefore a greater need for demand management

and water efficiency in the Cambridge region. Designing new developments for optimal sustainable water consumption will become even more important.

In particular we support the use of water recycling in all new developments to achieve the equivalent of the former Code for Sustainable Homes Level 5/6, and are working together with Cambridge University to deliver such a scheme at North West Cambridge.

If you wish to discuss the content of this letter further with our local Water Resources and Environment Manger please contact Daniel Clark on 01223 403126.

Yours Faithfully

Colin Wayper  
Asset and Water Supply Director

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September 2016

**Appendix 5: Extracts from s106 agreements for Cambourne 950 and Trumpington Meadows relating to sustainable show homes**

Schedule 4

Planning Obligations

Part 2: Obligations to the District Council and the Parish Council

D **Obligations Relating to Sustainability and Mitigating the Impact of the Development**

MCA hereby covenants with the District Council

1. **Adoption of Sewers**

To use all reasonable and commercially prudent endeavours to procure that any adoptable sewers serving the Development are subject to agreements under Section 104 of the Water Industry Act 1991 as soon as reasonably practicable.

2. **Enhanced Sustainability Show Home**

To provide at least one Dwelling for each Phase unless otherwise agreed as a show home to demonstrate environment sustainability measures that can be ordered in its show home or market area or areas by prospective buyers on the following basis as extras:

2.1 the measures shall comprise alternative finishes, materials, appliances technologies or building services including (by way of examples):

- (a) flooring finishes (eg. sustainably sourced timber flooring with environmentally friendly oils or waxes or lino);
- (b) wall finishes (eg. paints);
- (c) doors or windows (eg. sustainably sourced timber doors and windows with significantly improved values for any glazing);
- (d) toilets or other sanitary ware fixtures or fittings (eg. lower flush options aerated taps and showerheads and restricted flow shower heads and taps. Porcelain options rather than plastic);
- (e) kitchens (eg sustainably sourced timber kitchens);
- (f) domestic electrical applicants (eg. highest energy rating and lowest water consumption models);
- (g) light fittings internal and/or external (low energy dedicated fittings and daylight/movement sensors where not already installed);
- (h) furniture (eg. sustainably sourced low in embodied energy easy to recycle);
- (i) renewable technologies (where not already provided) such as solar panels or ground source heat pumps;

- (j) rainwater harvesting and recycling devices (eg. underground tanks for internal and external use);
- (k) greater recycling devices;
- (l) smart metering (where not installed as standard).

2.2 the measures shall be installed, clearly displayed, operational and maintained in as-new condition, and there shall be clear signage and information available explaining the environmental benefits of using each measure, what it costs and any other information a buyer may reasonably require to enable the buyer to decide if he or she will order it.

2.3 the measures shall be offered at a price (including cost of delivery and/or installation) that reflects the same profit margin to MCA as other standard buyer's options or extras and otherwise (insofar as practicable and within MCA's control) on terms which are equivalent to the terms upon which MCA would offer other options or extras to its buyers for installation in the Dwellings.

2.4 any renewable energy measures should (where technically feasible) be capable of installation in a completed dwelling so as to enhance its specification to meet level 5 in the BREEAM Code for Sustainable Homes.

2.5 any measures shall be approved or validated by or meet the relevant standards of any appropriate recognised body, and any electrical appliances shall be rated in accordance with European Union Directive 2010/30/EU.

### 3. **Sustainability – Alternative Measures**

3.1 to implement whichever of the following options the District Council and the Parish Council shall both elect pursuant to paragraph 3.2:

#### 3.1.1 "Option A" –

- (i) to pay to the Parish Council the sum of £950,000 in the following instalments:
  - (a) £550,000 before 31 January 2012 or (if later) the date four months after the date of issue of the Planning Permission; and
  - (b) £400,000 on or before the first anniversary of the first payment in paragraph (a).

Such sums to be used for the provision of on-site renewable (non-fossil fuel) energy generation in Cambourne, either by installation by or on behalf of either the District



## SCHEDULE 4

### ENHANCED SUSTAINABILITY SHOW HOMES SCHEME ("SCHEME") [REQUIREMENTS]

The Scheme will demonstrate specifically suitably accredited environmentally sustainable alternatives to finishes materials technologies and building services as options that can be offered to potential house-buyers to purchase at reasonable cost off-plan in respect of an agreed proportion and variety of show homes and show flats. These options will also include any renewable energy technologies that could be effectively fitted to the built-out properties and where it is technically feasible to do so enable the property owner to upgrade the specification of their property to the equivalent of level 5 in the Code for Sustainable Homes. The Owners will endeavour to ensure that these options are made as practically available for potential house buyers to opt for as the other options the Owners are offering. The Owners will further ensure that all the enhanced-sustainability show home options are fully functional and positively marketed.

#### Definitions:-

"demonstrate" means clearly displayed and fully operational together with continuing maintenance to an "as new" standard within the show home or show flat with clear signage and information to make it clear to prospective purchasers what the environmentally sustainable alternative is why it is more sustainable than it is readily available to purchase and at what cost with any other supporting information the purchaser may require to make the decision about whether to purchase it.

"suitably accredited" refers to a relevant recognised standard for that product that assures its environmental credentials and/or chain of custody such as the 'Forest Stewardship Certification' or FSC accreditation for timber. For white goods the most applicable standard would currently be the EU energy rating for the appliance (AA-G).

"at reasonable cost" is based on the purchase cost to the developer plus the same scale of profit margin as for the other options being offered. The same principle should be applied to any delivery installation or other associated charges. The developer must ensure that it is as practical for the purchaser to procure the environmental alternative as it is to purchase the standard option and no unreasonable premiums are to be added for these options.

Examples of options the Owners may choose to offer and suggestions in Items 1- 8 for what the environmental alternative may be in each case:

- 1) Flooring finishes (e.g. sustainably sourced timber flooring with environmentally friendly oils or waxes or lino)

- 2) Wall finishes (eg paints)
- 3) Doors or windows (eg sustainably sourced timber doors and windows with significantly improved U-values for any glazing)
- 4) Toilets or other sanitary ware fixtures or fittings (eg lower flush options aerated taps and showerheads and restricted flow shower heads and taps. Porcelain options rather than plastic)
- 5) Kitchens (eg sustainably sourced timber kitchens)
- 6) White goods (eg highest energy rating and lowest water consumption models)
- 7) Light fittings internal and/or external (low energy dedicated fittings and daylight/movement sensors where not already installed)
- 8) Furniture (eg sustainably sourced low in embodied energy easy to recycle)
- 9) Renewable technologies (where not already provided) such as solar panels or ground source heat pumps
- 10) Rainwater harvesting and recycling devices (eg underground tanks for internal and external use)
- 11) Greywater recycling devices
- 12) Smart metering (where not installed as standard)