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HS8.1

Tendring Colchester Borders Garden Community Development Plan Document Examination

Matters and Issues Statement

Our ref	62189/01/PR/CW
Date	19 April 2024
ID	127
Representor	Latimer (Tendring Colchester Borders Garden Community) Developments Limited
Prepared by	Lichfields

Matter 8 Sustainable Infrastructure (GC Policy 8 - Sustainable Infrastructure)

1.0 Question 1: Are the requirements of the Policy justified by appropriate available evidence, having regard to national guidance, and local context?

1.1 Latimer is supportive of GC Policy 8 which sets out the approach to sustainable infrastructure at the Garden Community and in setting the ambition to address the climate emergency. Overall, the approach is justified and aligned the NPPF (para 8c, and Chapter 4) and to the North Essex Authorities (NEA) Section 1 Plan (2021) which requires the Garden Community (Policy SP8), to:

"*Secure a smart and sustainable approach that fosters climate resilience and a 21st century environment in the design and construction of the garden community to secure net gains in local biodiversity, highest standards of energy efficiency and innovation in technology to reduce the impact of climate change, the incorporation of innovative water efficiency/re-use measures (with the aim of being water neutral in areas of serious water stress), and sustainable waste and mineral management*."

1.2 A key part of Latimer's vision for the garden community has been to create a climate-resilient and self-sufficient new community established on regenerative design principles which seeks to be net positive in all aspects of the development rather than simply 'doing less bad'. These principles, established from the outset, have guided the design evolution of the project and continue to do so. The principles have been explored with key stakeholders, including the Councils, from project inception and include ambitions for: re-wilding; circularity; using low impact and local construction materials; modern methods of construction; and, creating opportunities for food growing throughout neighbourhoods. These principles are aligned to the DPD, including the overall framework approach and principles set out in GC Policy 8.

1.3 Notwithstanding, Latimer (Regulation 19 representations, para 9.3) do not consider the approach at Part A of the policy to be fully justified, based on appropriate evidence. Part A

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states the Councils will encourage the development of a District Heating Network (DHN) for the Garden Community. Whilst Latimer recognises that DHNs can be appropriate for some developments, DHNs often rely on fossil-fuel powered generators and underground pipework and this is not necessarily considered to be an ambitious sustainable approach for the Garden Community (nor aligned to the ambition, as set by Section 1 Plan Policy SP8, as above). The appropriate strategy should be a matter to discuss at planning application stage and a DHN should be reviewed alongside all the other energy strategies that could work for the site, including renewable energy sources. Latimer consider GC Policy 8 should be amended to allow for more appropriate methods and more energy efficient and innovative solutions to come forward at the planning application stage, recognising the long-term duration of this project.

1.4 Therefore, Latimer requests the removal of reference to "*District Heating Network*" in GC Policy 8. This requested modification is per part 5A of the schedule at Appendix 2 of the Statement of Common Uncommon Ground (SoCUG) between the Latimer and the Councils (not agreed by the parties).

2.0 Question 2: Does the Policy provide clear direction as to how a decision maker should react to a development proposal?

2.1 Yes, overall, GC Policy 8 provides a clear direction for the decision maker to react to a development proposal. However, a few points of clarification and wording amendments are requested, relating to net zero carbon and renewable energy. These are set out below, and at Appendix 1 of this Matter 8 statement for ease of reference.

2.2 Latimer is fully committed to delivering the most energy efficient and energy resilient community possible, fostering regenerative design principles (as above) and making a net positive impact in all aspects, being a good ancestor and making the right decisions now to ensure a thriving community in decades to come. However, it is requested that wording is amended to maintain flexibility, with the focus being on the end goal of zero carbon so that the optimum solutions are delivered, thereby making the policy effective.

2.3 Latimer therefore request GC Policy 8, Part A is amended to provide clarity that the requirements are 'aspirational' in achieving net zero carbon and make reference to advances in Building Regulations, to assist the decision maker.

2.4 Renewable energy is a compatible use that could come forward within the proposed Strategic Green Gaps ('SGGs') (GC Policy 1 and paragraph 3.7 of the Councils/Latimer SoCUG). Renewable energy generation will be critical to supporting a resilient Garden Community, this opportunity is important to assist with meeting the sustainable infrastructure principles of the Section 1 Plan, and GC Policy 8 of the DPD. As set out in Latimer's Regulation 19 DPD representations (paragraph 9.4), renewable energy generation references and terminology in relation to the Wivenhoe SGG and Elmstead SGG should be aligned in approach to terminology to provide a consistent strategy for future planning applications, and the decision maker to follow.

Appendix 1 Requested Wording Changes to GC Policy 8, Sustainable Infrastructure

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The following amendments are requested by Latimer to GC Policy 8, Sustainable Infrastructure.

Text proposed to be inserted is ***bold, italic and underlined***. Text proposed to be removed in ~~strikethrough~~.

A1.1 GC Policy 8, justification wording or introduction paragraph

New sentence:

The Garden Community will aspire to achieve net zero carbon and will have regard to advances in Building Regulations.

A1.2 GC Policy 8, Part A

Where the use of onsite renewables to match total energy consumption (energy use intensity) is demonstrated to be not technical feasible or economically viable onsite, renewable energy generation should be maximised as far as possible ~~and/or connection to a district heating network~~. Where this is not possible, the residual energy should be offset by a contribution to an offset fund.

A1.3 GC Policy 8, Part C

To achieve a net zero carbon development, that will not use fossil fuels, the Garden Community will generate energy from renewable sources and proposals will need to show how this has been maximized. Solar photovoltaic (PV) and either, air or ground source heat pumps should be installed on every building where feasible. The Councils will encourage the development of ~~a district heating network(s) and/or~~ smart local energy systems that are viable, maintained and managed in the long term.