

Consultation on Policy ES1 Checklists & Applicant Advice

Summary of Consultation Responses Received

No.	Organisation	Summary of representation received	Council response	Action
1.	Wendy Fey	This looks like an excellent idea to me. It can only be helpful.	Welcome support.	None required.
2.	Slimbridge Parish Council	Slimbridge Parish Council has noted this consultation and have no further comments to make.	The Council notes the response.	None required.
3.	Rodborough Parish Council	<p>Rodborough Parish Council response to the Sustainable Construction Consultation as agreed at the Planning, Transport and Amenities Meeting on 5th December 2016:</p> <p><i>The Committee commended SDC on the consultation into how new developments can promote sustainable construction and design techniques in the District. The proposals included some good, practical ideas.</i></p> <p><i>The Committee agreed to respond to the consultation congratulating the council on the elements included and expressing their wish that upon adoption, it will be widely used by developers.</i></p>	Welcome the commendation and support of the practical ideas offered.	No specific changes proposed.
4.	Natural England	Natural England has no comments to make on this SPD.	The Council notes the response.	No specific changes proposed.
5.	Stroud Town Council	<p>This matter was considered at a recent meeting and the Committee strongly supported the document. However there were a couple of comments I have been asked to pass on to you.</p> <ul style="list-style-type: none"> <li>It was felt energy generation, e.g. Solar PV and Solar Thermals, is understated and should be more in the narrative.</li> <li>Also para 4 on page 2 mentions reglazing historic building. It was felt this should also mention double glazing in modern buildings.</li> </ul>	<p>Welcome the strong support and a response to the comments is set out below.</p> <p>The Council notes the comments and supports further text being provided in the introduction to explain Solar PV and Solar Thermal technology opportunities.</p> <p>The Council notes the comments and proposes amended text to reflect this.</p>	<p>Make appropriate changes to introductory text by adding three paragraphs (2.10 – 2.13) to explain Solar PV and Solar Thermal technologies and associated planning and building control requirements.</p> <p>Make appropriate changes to introductory text (Para 2.5).</p>

6.	Canals & Rivers Trust	The Canal & River Trust have considered the content of these documents and have no comments to make in this case.	The Council notes the response.	None required.
7.	Frampton Parish Council	<p>This council supports with enthusiasm the range of measures suggested to ensure that future building projects maximise sustainability. We welcome the support for solar panels and for double or triple glazing but we agree also that historic and listed buildings require sensitive treatment.</p> <p>This council strongly supports the proposals in the paragraphs on 'Water Efficiency and Sustainable Drainage Systems (SuDS)' We are concerned that surface water is still draining into foul sewers (which has been of concern to this community). We wonder if steps could be taken to reroute such drains.</p> <p>We welcome the recognition that development must take account of the needs of an aging population and of younger people.</p> <p>It is essential that the principles of sustainable construction should be applied to extensions too, whatever the state of the property being extended.</p> <p>It is important that designs for sustainable construction should be appropriate to conservation areas and in particular in the vicinity of historic or listed buildings – which of course covers the greater part of our community.</p>	<p>Welcome support.</p> <p>Welcome support. The Council notes the comments and has incorporated some changes to checklist at the recommendation of the Environment Agency to establish whether non-mains drainage, either a new system or connection to an existing system, would be acceptable.</p> <p>Welcome support.</p> <p>The Council notes the comments and text does not preclude use of advice for extensions. There is an opportunity to clarify this in the introduction.. Housing checklist already includes such text.</p> <p>The Council notes the comments, but the guidance is intended to facilitate implementation of Delivery Policy ES1. It does not negate the need for the Plan to be read as a whole and for a range of issues to be considered in reaching a decision. This is referred to in Para. 1.5.</p>	<p>None required</p> <p>Changes made to checklist question in accordance with EA commentary and which links with the need for Foul Drainage Assessment (FDA1) Forms.</p> <p>None required.</p> <p>Paragraph 1.2 of introduction s amended to include extensions.</p> <p>No specific changes proposed.</p>

**Agenda Item 8 - Appendix D**

		Our most serious doubts centre upon the difficulty of persuading developers and builders to recognise the value and importance of all the measures outlined in the papers, and in ensuring that if such measures are included in plans they are actually carried out. In this connection it is sensible to stress that sustainable construction need be no more expensive than traditional techniques.	The Council notes the comments. A number of builders and developers do recognise the value and importance of the measures. The intent of the advice is to improve understanding, give options and to link it with an adopted Local Plan policy (recognised by the Local Plan Examiner). Council notes comment on costs.	Paragraph 1.4 amended to usefully reflect costs comment.
8.	Stonehouse Town Council	Stonehouse Town Council support the Sustainable Construction Checklist as a valuable supporting document for the Local Plan.	Welcome support.	None required.
9.	Woodchester Parish Council	<p>Councillors agree most of the proposals seem very sensible and that it will be very useful to give developers a check list to work through and have some objective assessment of 'sustainability.</p> <p>They do agree that whilst the ideas of green roofs and double glazing for listed buildings are supported, it is disappointing that rainwater harvesting, solar panels and improved insulation are not a requirement for all new builds.</p>	<p>Welcome support.</p> <p>The Council notes the comments on rainwater harvesting and solar panels. The Council intends that by setting out these options, it will encourage their greater use. The Local Plan Inspector was sensitive that the checklist should not be a requirement in excess of that required under Building Regulations.</p>	No specific changes proposed.
10.	Environment Agency (X2)	<p>As a general point we are very supportive of the positive aspects environmental aspects within the checklist. There is a strong focus on climate change mitigation and adaptation throughout across a range of areas which is welcomed.</p> <p>We also welcome the ecology aspects, and the inclusion of fish passage, which is in accordance with the Water Framework Directive (WFD). Reference to the WFD could be added within the document; including a question about whether a WFD Compliance Assessment is required (this is</p>	<p>Welcome support.</p> <p>Welcome support for fish passage in accordance with WFD.</p> <p>Comments noted.WFD Compliance can be added to existing question.</p>	Advisory note added post question 9 on housing checklist and post question 7 on non domestic checklist.

		<p>more likely to be the case if there are works proposed within a watercourse.).</p> <p>We would recommend the heading Water be reworded to read Water Conservation and Efficiency. Q 20: would therefore need moving into this section and we would recommend the following additional question be included: What will be the average water consumption for the development (per person per day?). The supporting introduction could then make reference to the requirements as set out in Part G of the Building Regulations.</p> <p>We would recommend the heading Surface Water be re worded to read Surface and Foul Drainage, and the following question included: Has a Foul Drainage Assessment (FDA) been submitted and does it demonstrate that foul drainage from the development will be managed in a sustainable way? The supporting introduction could then make reference to the hierarchy contained within the FDA, highlighting that development should be connecting to the public sewer network where possible, which also accords with Policy ES4 of the Local Plan.</p>	<p>Agreed</p> <p>Agreed and can be linked with the fittings question in the housing checklist.</p> <p>Agreed. This matter is also relevant to other comments made There is Government advice and forms on Foul Drainage Assessment (FDA1) to establish whether non-mains drainage, either a new system or connection to an existing system, would be acceptable. Government guidance contained within DETR Circular 03/99/ WO 10/99 'Planning requirements in respect of the use of non-mains sewerage incorporating septic tanks in new development' gives a hierarchy of drainage options that must be considered and discounted in the following order:</p> <p>Connection to the public sewer Package sewage treatment plant (which can be offered to the Sewerage Undertaker for adoption) Septic Tank If none of the above is feasible a cesspool.</p>	<p>Title of section renamed.</p> <p>Advisory note added to question 21 on housing checklist and this does not apply to the non domestic checklist under Building Regulations.</p> <p>Additional question 19 has been added on housing and question 13 on non domestic checklists.</p> <p>Additional paragraph 3.2 inserted in the introduction which refers to FDA forms and drainage hierarchy that accords with Policy ES4 of the Local Plan at Paragraph 2.15..</p>
--	--	---	---	--

**Agenda Item 8 - Appendix D**

		In addition, the Shropshire checklist covers a number of issues, including sustainable water, energy and waste management requirements for new development; joined up with local plan policy. We feel it would be helpful to include a question relating to fluvial flood risk, along with the requirement for the Sequential Test and Exception Tests where relevant. As an example, we would point you to the Shropshire Council sustainability checklist within their adopted Design Guidance SPD.	Comments noted and advice incorporated .	Water management and water quality text added to introductory text at Para. 3.1.  Flood Risk question added to checklists. Introductory text also has new paragraph on flood risk at para. 3.11 and foul drainage at 3.2..
11.	Gloucestershire County Council (X2)	<p>The WMinDPs SPD places a specific requirement on developers of major applications to prepare a waste minimisation statement. The waste minimisation statement covers both the construction and occupation stages of a proposed development.</p> <p>There are clearly direct links between the WMinDPs SPD and the emerging Sustainable Construction Checklist SPD (SCC SPD) and as such the WPA is broadly supportive of the local measures proposed to facilitate waste minimisation. Nevertheless, the preparation of the new SCC SPD offers an ideal opportunity to ensure a degree of local policy harmony and in this respect it would be good to see appropriate references made back to the existing WMinDPs SPD. Furthermore, the new SCC SPD should look to ensure all elements of the existing WMinDP SPD are incorporated. To do this would avoid the risk of prospective developers having to unnecessarily duplicate work as part of their supporting submissions.</p> <p>At the end of the 'Consultation Statement' document please note that the link to the Gloucestershire Local Nature Partnership Strategic Green Infrastructure Strategy (Framework) should be updated to</p>	<p>Comments noted.</p> <p>Welcome that the documents are broadly supportive. Agree some lines can be inserted in introductory text at Paragraph 4.4.</p> <p>Agreed.</p>	<p>Paragraph 4.4 of checklist introduction has been altered to clarify this aspect.</p> <p>Add to text at Paragraph 4.4.</p> <p>Link updated.</p>

		<p><a href="http://gloucestershirenature.org.uk/index.php">http://gloucestershirenature.org.uk/index.php</a> . However the link <a href="http://gloucestershirebiodiversity.net/">http://gloucestershirebiodiversity.net/</a> will still work for a few more weeks.</p> <p>Pleased that both the housing and non-domestic checklists highlight that GCER can provide biodiversity interests on a site or in the vicinity.</p> <p>Q7 (housing) and Q5 (non-domestic) could add example of sow wildflower seeds and to last word 'tree(s)' change to 'trees, shrubs or herbaceous plants'.</p> <p>Q8 (housing) and Q6 (non-domestic) could probably be combined with the previous question (Q7 and Q6 respectively).</p> <p>Q10 (housing) and Q8 (non-domestic) could also mention that landscaping can also provide wind breaks to help shelter buildings so that heat is retained better?</p> <p>In both checklists under 'Health and Wellbeing' an additional item is suggested. This would be to ask whether the development has or provides access to new or existing green infrastructure, e.g. gardens, sports pitches, meadows, woods and ponds. This would be for the enjoyment of the natural environment and the pursuit of physical or quite recreation. A proposed green infrastructure accreditation standard (once developed by the Gloucestershire Wildlife Trust) could be an additional tick box here perhaps?</p>	<p>Welcome support on ecological aspects.</p> <p>Agreed as adds clarity.</p> <p>Comments noted.</p> <p>Comments noted.</p> <p>Comments noted. Consider that the question is inclusive of this and further advice on GI is also to be produced in the future.</p>	<p>No specific changes proposed.</p> <p>Questions on both checklists updated to incorporate the suggestions.</p> <p>Agree to combine the questions.</p> <p>Advisory note added to combined questions.</p> <p>No specific changes proposed.</p>
12.	Persimmon Homes – Severn Valley	The formal adopted headline policy which provides the justification for the sustainable construction	Comment noted.	Will set out in the introduction that the checklist and advice is intended to

		<p>checklist is adopted Local Plan Policy ES1. This effectively establishes how the checklist should be used in the development management process. However, we consider there are differences between the wording in the Local Plan and that set out in the first section of the Introductory Document which supports the checklist, on how it will be considered in dealing with planning applications. In summary we suggest to increase clarity the following phrase or similar should be incorporated in the first section of the introductory document: <i>'The sustainable construction and design techniques set out in the checklist are not intended to be prescriptive and should be used by developers as a self assessment guide to ensure their proposed development sufficiently meets sustainable construction principles.'</i></p> <p>In commenting on solar gain, it is better to say that, where possible, development should be located on southerly slopes and otherwise efforts should be made to maximise solar gain. Clearly not all development can be located on south facing slopes, as demonstrated by a number of allocations in the adopted Local Plan. Persimmon Homes Severn Valley supports the construction of timber frame houses and timber frame units are supplied directly to Persimmon sites from our own Space 4 timber frame manufacturing facilities. However, green roofs are not practical and cost effective on conventional housing development sites. In particular green roofs require flat or gently sloping roofs, whereas most new homes have a 35 or 45° pitch. We suggest the addition of <i>'in appropriate circumstances.'</i></p> <p>We also consider that arranging buildings in</p>	<p>Comments noted and where possible added.</p> <p>Comments noted, but the advice and check list is not prescriptive. It is an option amongst a wide number of options. It is accepted not everything can be implemented. The Council does not seek to be prescriptive as to where or which method must be used when. Each application will be considered on its own merits. It is a tool which can assist understanding of the development proposal ..</p> <p>Comments noted, but the advice and</p>	<p>assist developers and can enable the Council to assess which methods have been used. It is not prescriptive and usefully accompanies Policy ES1.</p> <p>Revision incorporated in new text at paragraph 2.12.</p> <p>No specific changes proposed.</p> <p>No specific changes proposed.</p>
--	--	--	---	---

		<p>irregular street patterns to avoid channelling wind, needs to be balanced against design and permeability considerations and in our view appropriate planting is likely to provide a better solution.</p> <p>Some guidance on renewable energy, (which is only briefly mentioned in the section on Health and Wellbeing) should set out the range of alternatives available. We consider reference should be made to the energy hierarchy which sets out a sequence of steps that help make development more sustainable:</p> <p>Step 1 is to eliminate energy need in the first place rather than require renewable energy generation. This is because even renewable energy carries an embodied carbon cost, so using less energy is better than using clean energy.</p> <p>This can be achieved through:</p> <ul style="list-style-type: none"> <li>- Design of the scheme layout;</li> <li>- Design and construction of individual buildings;</li> <li>- Making optimal use of passive heating and cooling systems.</li> </ul> <p>Step 2 is to use energy efficiently. Developments should incorporate energy efficient systems, equipment and appliances to reduce the demand for energy where it cannot be eliminated.</p> <p>Step 3 is to supply energy from renewable and low carbon sources when energy need has been reduced as far as possible through Steps 1 and 2.</p>	<p>check list is not prescriptive. There will be a range of planning policy matters to consider and design and permeability may also be pertinent to a number of other policies in the Adopted Local Plan.</p> <p>Agreed. Will insert text regarding the energy hierarchy and fabric first approaches in a new section to add clarity and useful information on the approach.</p>	<p>Section 7 added to the introductory text.</p>
--	--	---	---	--

	<p>Step 4 would ensure any remained emissions should be off set, for example through allowable solutions payments. We have found that reducing energy consumption through integration of passive design and energy efficiency measures generally known as the <i>'fabric first'</i> approach delivers a reduction of up to 40% in site energy demand when compared with current Building Regulations. So, without having to provide any renewable energy the fabric first approach can achieve substantial savings. Also a significant advantage of the fabric first approach is that it is not dependent on how occupants use energy sources or operate heating systems because it is a fixed and guaranteed reduction. We recommend introducing a section on the energy hierarchy with emphasis on reducing energy through a fabric first approach.</p> <p><b>Water Efficiency and Sustainable Urban Drainage Systems</b> - It is not clear what relevance the reference to the South East has to Stroud. We support the use of SUDS but it is important the document recognises that SUDS can only be used where ground conditions are suitable. Therefore we suggest the relevant sentence should be changed to <i>'they are a form of drainage that is only appropriate where ground conditions are suitable, which will generally be where the geology is relatively impermeable.'</i> We consider that using swales and basins to replace conventional roadside kerbs is not generally appropriate and is likely to lead to adoption issues.</p> <p><b>Health and Wellbeing</b> - The language used in this section is particularly difficult to interpret in respect of what the developer should do. Persimmon</p>	<p>Agreed remove reference to the south east.</p> <p>Agree these are factors to consider but ground conditions will not alone preclude all SuDS options.</p> <p>Swales and basins are an option to be considered but may not be appropriate in every case. The design statement can usefully state why swales and basins have not been used.</p> <p>The Council agree with the content of the ministerial statement set out in the respondents' commentary. Currently the</p>	<p>Remove reference.</p> <p>Add "Ground conditions and geology will be factors to consider." at Paragraph 3.5.</p> <p>No change to Swales and basins text.</p> <p>Agree to remove the explicit space standards that accompanied the</p>
--	---	---	---

		<p>Homes Severn Valley object to the introduction of minimum Space Standards in Section 28 of the checklist which is contrary to national guidance. From the outset the written Ministerial Statement dated 25<sup>th</sup> March 2015 stated that <i>'the optional new national technical standards should only be required through any new Local Plan Policies if they address a clearly evidence need, and where their impact on viability has been considered, in accordance with the NPPG.'</i> Therefore if the Council wishes to make use of the national described Space Standards it must first establish a need and then introduce any standards through a formal Local Plan Policy which is in accordance with the criteria set out in the NPPG. The Council has failed to meet any of the guidance and so the introduction of Space Standards in the Sustainable Construction Checklist, with no justification in the supporting document, no evidence to support the requirement for the Space Standard, no consideration of the impact of the introduction of Space Standards on viability and no transitional period is contrary to National Guidance and therefore Section 28 of the checklist should be deleted.</p> <p><b>Transport</b> - over long paragraph can be reduced to a suggestion that developments should provide an accessible charging point to address the growing requirement to charge electric vehicles. It is also important to note it is not only electric vehicles which reduce pollution and reference should be made to the introduction of stop/start technology in conventional engines.</p>	<p>Council cannot evidence need or viability impact aspects adequately. The Council is cognisant of the issue. It may consider how best address this potential issue in future planning policy terms.</p> <p>The Council believes the information provided is fair and reasonable. It is reflecting current trends in automotive technology. That said the Council will introduce reference to stop/start technology and the limited role this can have in mitigating transport and air quality issues.</p>	<p>Ministerial Statement and replace with more general query as question 29 in housing ..</p> <p>Add text on stop/start technology to paragraph 6.1</p>
13.	Crest Nicholson & GL Hearn	Crest Nicholson is committed to an integrated strategy that embeds sustainability into every step of the development and design process in order to deliver high quality new homes that help to address	Welcome the support of the use of sustainable construction and design techniques.	No specific changes proposed

		<p>climate change. Crest Nicholson therefore supports the principle of encouraging sustainable construction and design in line with Policy ES1 of the adopted Stroud District Local Plan 2015 (SDLP).</p> <p>It is important that the SPD supports viable development without adding any unnecessary work or financial burdens that could delay or prohibit the timely delivery of all development including the allocations within the SDLP. What is the purpose and intent of this SPD, the weight attached to it and how it will be used in planning decisions?</p> <p><b>Sustainable Construction Performance Introduction</b>          - while the information contained within the SPD is useful, the purpose of the SPD is still unexplained and it is unclear as to how this information should be used having regard to Policy ES1 of the SDLP. National planning guidance infers that SPDs should build upon and provide more detailed advice or guidance on the policies in the Local Plan. The SPD as drafted does not fulfil this purpose as there is no clear inter-relationship between the matters outlined in Policy ES1(1-6) and the sustainable construction and design techniques outlined within the SPD. There is no cross reference between the SPD and Policy ES1 other than in the opening sentence. It is unclear what is meant by a “relevant” planning application and what level of detail is expected. Details submitted to, for example, an outline application where matters relating to scale, appearance and layout are reserved will not by its very nature include the same level of detail as an</p>	<p>The Council acknowledges the need to support sustainable development. This approach was supported by the Local Plan Inspector in the Local Plan Examination report. The purpose and intent of the policy is set out in the Local Plan and the checklist is a tool that can help enable the Council to assess a proposal. Each development proposal is considered on its own merits across a range of policy matters.</p> <p>Comments noted and the Council proposes changes to clarify the role and purpose of the SPD and its relationship to Delivery Policy ES1.</p> <p>Comments noted. The Council does not propose to explicitly link criteria 1-6. The Council considers that the themes set out in the guidance offer an opportunity to meet the criteria. It is acknowledged that the themed approach may also have policy cross over points to some other policies in the Local Plan such as ES4 flood risk for example. There are always grey areas that may potentially link with other policies in the Local Plan. The themed approach is thought to better address this. The Local Plan Inspector did not disagree with draft content. The Council is seeking that the applicant is</p>	<p>No specific changes proposed.</p>
--	--	---	---	--------------------------------------

		<p>application for full planning permission, or for approval of reserved matters. It is also unclear whether the checklist will form a local validation requirement. The language used (for example the prevalent use of 'should') within the text does not provide sufficient flexibility. The SPD is there easily misinterpreted as being a prescriptive. While the explanatory text provides a substantial amount of detail on some construction and design techniques, it is absent on others that are referred to in the checklist. This includes, for example, Passivhaus principles and additional (voluntary) standards under the Building Regulations.</p> <p><b>Sustainable Construction Performance Checklist</b> While the checklist is set out as a requirement under Policy ES1(7) of the SDLP, the SPD does not clarify how the Council intends to use the information provided by applicants through the checklist in determining planning applications and in that respect the weight attributed to the document in planning decisions. The checklist provides for a series of Yes/No answers but there is no explanation on how the Council will interpret the checklist against the subheadings contained within Policy ES1 and whether planning permission could be withheld until certain checklist items are accomplished.</p> <p>The checklist refers to nationally described space standards. However, the SDLP does not prescribe that developments need to meet these standards. The Ministerial Statement on 25th March 2015 makes clear that decision takers should only require compliance with the new national technical standards (which includes the nationally describes</p>	<p>cognisant of these themes that are related to criteria in the policy. The policy encompasses wide ranging criteria such as climate change and the themed approach is thought more appropriate than criteria.</p> <p>It is not the Council's intention that the checklist becomes a local validation requirement. The advice provides links to Passivhaus should someone prefer that sustainable construction and design approach. It is an acknowledged approach to sustainable construction and design.</p> <p>The checklist provides a tool that can enable the Council to assess the merits of a proposal and assist the consideration of Delivery Policy ES1. As a tool it can help identify potential issues and assist the wider planning assessment of design, layout and access. The Council can extract elements that can be weighed in a decision based on the relative merits of an individual proposal.</p> <p>The Council agree with the content of the ministerial statement set out in the respondents' commentary. Currently the Council cannot evidence need or viability impact aspects adequately. The Council is cognisant of the issue. It may consider how best address this potential issue in</p>	<p>Agree to remove the explicit space standards that accompanied the Ministerial Statement and replace with more general query at question 29 in housing.</p>
--	--	--	--	---

		<p>space standard) where there is a relevant current Local Plan policy. This should, therefore, be removed from the checklist.</p> <p>Similarly, the checklist refers to the new national technical standards that go beyond what is required by the Building Regulations. Numerous measures set out within the checklist go beyond what should be necessary to implement sustainable construction and design as required by Policy ES1. This includes, for example, Passivhaus principles, Building for Life 12, and BRE. The document should be thoroughly reviewed and amended to ensure it does not step beyond the provisions of Policy ES1</p>	<p>future planning policy terms.</p> <p>The Council disagrees that the standards go beyond Building Regulations. The representation has misunderstood the role and purpose of the checklist. It is not seeking to be prescriptive and is trying to give people reasonable options across a range of measures to achieve better sustainable construction and design. It offers a range of approaches, but does not prescribe specific standards to achieve. This approach was broadly accepted by the Local Plan Inspector and has been reviewed by the Council through public consultation. It potentially contributes to a more holistic approach to planning and delivery of a site that can address a number of climate change and energy efficiency matters.</p>	<p>No change proposed.</p>
<p>14.</p>	<p>Conservation Officers</p>	<p>Key question to address is the need in the Local Plan for sustainable construction methods and the need to reconcile this with local distinctiveness (articulated in Design Statements &amp; NDPs).</p>	<p>Agree that this can be usefully be added to both housing and non domestic checklists as a broad construction and design issue to look at. Design Statements often contain advice on local design features and local distinctiveness as well as energy efficiency aspects to take account of.</p>	<p>Modify existing questions 25 (housing) and 17 (non domestic) so that the developer can be aware of the issue and can then seek to reconcile this through careful design.</p>