

Matter 6 - Other Core Policies

Place

Core Policy 5: Climate Change

5. *Is the Policy consistent with the Framework and would it be effective?*
6. *What is the purpose of the Council's Climate Impacts Framework (CIF)?*
7. ***What is the justification for requiring developers to use the CIF? The Framework in paragraph 44 states that requirements for applications should be kept to the minimum needed to make decisions. Would the use of the CIF be consistent with this policy? Does it require information that goes beyond what would be required for a scheme to comply with the relevant local plan policy.***
 - 7.1. The HBF is concerned that this Impacts Framework is not part of the Plan that is being examined at this time, and as such it is not clear what the requirements for development will be in relation to climate change resilience and adaptation and whether their impacts on viability have been fully assessed. The HBF does not consider that it is appropriate to refer to the use of this document as a requirement. This policy wording should not be interpreted by the Council's Development Management Officers as conveying the weight of a Development Plan Document onto this guidance, which has not been subject to examination and does not form part of the Local plan. The Town and Country Planning (Local Planning) (England) Regulations 2012 are clear that development management policies, which are intended to guide the determination of applications for planning permission should be set out in policy in the Local Plan. To ensure a policy is effective, it should be clearly written and unambiguous so it is evident how a decision maker should react to development proposals. The Council's requirements should be set out in sufficient detail to determine a planning application without relying on, other criteria or guidelines set out in separate guidance.
8. ***Is it appropriate and justified that all proposals for new development would be required to use the CIF, for example householder developments and applications for outline planning permission?***
 - 8.1. The HBF does not consider that it is appropriate for any developments to be required to use the CIF. However, if the policy is to be amended to include further details or to make it clear that this is only a guidance document to be taken in to consideration, then the HBF would recommend that it is applied at an appropriate scale, and this may not be appropriate for householder developments to outline applications.
9. ***Is it clear from Part 1 of the Policy what the targets for reducing carbon dioxide emissions are?***
 - 9.1. The HBF does not consider that Part 1 is clear what targets developments are being required to contribute to meeting.
10. ***Is it clear to decision makers, developers and the community how development proposals would be assessed against part 3 of the policy?***
 - 10.1. The HBF does not consider that it is clear to decisions makers, developers and the community how development proposals would be assessed against part 3 of the policy. Again, the HBF considers the reference to the CIF is inappropriate and does not provide sufficient clarity or detail to the policy.

Core Policy 6: The Natural Environment

11. *Is the Policy consistent with the Framework, is it justified, and would it be effective?*

12. What is the justification for the policy requiring 10% Biodiversity Net Gain and referring to Nature Recovery Networks, duplicating new legislation in the Environment Act 2011 which is subject to emerging regulations?

12.1. The Council will know that the Government is already looking at the most appropriate approach to biodiversity net gain. The HBF considers that the Council should not deviate from the Government's proposals on biodiversity gain as set out in the Environment Act and the emerging regulations. This legislation and accompanying regulations will require development to achieve a net gain for biodiversity. This nationally required gain provides certainty in achieving environmental outcomes, deliverability of development and costs for developers. The mandatory national requirement will not be a cap on the aspirations of developers who want to voluntarily go further. The mandatory requirement offers developers a level playing field nationally and reduced risks of unexpected costs and delays. Therefore, the HBF considers that this element of the policy is not necessary and provides unnecessary duplication.

13. What is the justification for major developments seeking to achieve the Building with Nature Design Award?