

**Part 1: Issues Raised Through the Preferred Options Consultation**

Issue Number	Policy/Paragraph Number	Issue	Officer Response	Proposed Amendment
Adaptation				
22.1	22.2 (now 21.2)	Local food production is vital and provision should be made for people to grow their own food. Agricultural land should be protected.	The final bullet point to paragraph 21.2.2 advocates the provision of allotments. Paragraph 112 of the NPPF sets out planning policy in respect of agricultural land so, while it is an important issue, it is not considered necessary to repeat this within the District Plan.	<b>No amendment in response to this issue</b>
22.2	22.2.2 (now 21.2.2)	Support from HCC for the inclusion of green roofs and green walls and provision of green infrastructure. Orchards could also be included.	Support noted and welcomed. Reference to orchards will be added.	<b>Amendment to Paragraph 21.2.2)</b>  <u>5.</u> providing green infrastructure including woodlands, <u>orchards</u> , street trees and green landscaping, parks, sports grounds, allotments, and green roofs.
22.3	22.2.2 (now 21.2.2)	All new development must be built to Passivhaus standards.	The Government has incorporated sustainability standards within Building Regulations; it is therefore not possible to require that new development is built to Passivhaus standards. However, the Design and Landscape chapter (Chapter 16) does encourage compliance with the standards contained within the new Home Quality Mark as well as the Hertfordshire Building Futures guide.	<b>No amendment in response to this issue</b>

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22.4	CC1	Support, including from HCC, although reference should be made to the urban heat island effect.	Support noted and welcomed. The policy refers to the need to minimise overheating in urban areas while the supporting text identifies different methods of achieving this.	<b>No amendment in response to this issue</b>
22.5	CC1	The Canal and River Trust promote the use of river/canal water for heating and cooling buildings.	Noted.	<b>No amendment in response to this issue</b>
22.6	CC1	The Bishop's Stortford North Consortium considers that the policy needs to be revisited following the Ministerial Statement in March concerning incorporating sustainability standards through Building Regulations rather than the planning system.	The Government has incorporated sustainability standards within Building Regulations. However, it is considered that the requirements of Policy CC1 are still relevant and should be maintained.	<b>No amendment in response to this issue</b>
22.7	CC1	The Environment Agency state that green roofs should be promoted in particular as they provide multiple benefits.	Agreed. Policy CC1 and its supporting text include reference to green roofs	<b>No amendment in response to this issue</b>
22.8	CC1	The standards contained within the Building Futures toolkit will increase construction costs. This should be factored into viability testing.	The Government has incorporated sustainability standards within Building Regulations. However, building new developments to the standards advocated by Building Futures is encouraged. As it is a voluntary code it is not necessary to reflect any additional costs within viability testing.	<b>No amendment in response to this issue</b>
Mitigation				
22.9	CC2	Support from HCC although it may be difficult to enforce the policy without a defined standard. The policy could undermine related objectives of promoting the use of recycled, sustainable and local materials.	Noted. The Government has incorporated sustainability standards within Building Regulations. It is therefore not possible for the Council to enforce defined standards.	<b>No amendment in response to this issue</b>

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22.10	CC2	The Bishop's Stortford North Consortium considers that the policy needs to be revisited following the Ministerial Statement in March concerning incorporating sustainability standards through Building Regulations rather than the planning system.	Noted. The Government has incorporated sustainability standards within Building Regulations. It is considered that the majority of the policy wording is still relevant although the requirement for development schemes to achieve 'above and beyond' the standards contained in building regulations should be amended.	<p><b>Amendment to Policy CC2, Part I:</b></p> <p>All new developments should demonstrate how carbon dioxide emissions will be minimised across the development site, taking account of all levels of the energy hierarchy. <u>Achieving standards above and beyond the requirements of Building Regulations is encouraged.</u></p>
Renewable and Low Carbon Energy				
22.11	CC3	Support from HCC for the need to assess impacts on environmental assets in consideration of renewable energy proposals.	Support noted and welcomed.	<b>No amendment in response to this issue</b>
22.12	CC3	The policy does not go far enough. All development must have renewable schemes and they must provide 90% of energy requirements. All building must be to Passivhaus standards. Retrofitting is also important.	The Government has incorporated sustainability standards within Building Regulations; it is therefore not possible to require that new development is built to Passivhaus standards. As a result of the Government announcement it is also not possible to require a percentage of energy requirements to be provided by renewable technologies. Part I of the policy and paragraph 21.4.2 should therefore be deleted.	<p><b>Amendment to Policy CC3, Part I:</b></p> <p><del>All new development of more than 10 dwellings or 1,000m<sup>2</sup> of non-residential floorspace must produce at least 10% of the total predicted energy requirements from on-site renewable energy sources unless it can be demonstrated that this is not feasible or viable.</del></p> <p><b>Amendment to text (para 21.4.2)</b></p>

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				<p>The East of England Plan (2008) required 10% of energy to come from decentralised, renewable or low carbon technologies for new development of more than 10 dwellings of 1000m<sup>2</sup> of non-residential floorspace. Despite the revocation of the Plan in January 2013, the District Council, in line with its commitment to mitigate the impacts of climate change, will take forward this policy requirement.</p>
22.13	CC3	<p>The Bishop's Stortford North Consortium and Persimmon Homes consider that the policy needs to be revisited following the Ministerial Statement in March concerning incorporating sustainability standards through Building Regulations rather than the planning system.</p>	<p>Noted. Part I of the policy has been deleted as shown above.</p>	<p><b>No amendment in response to this issue</b></p>
22.14	CC3	<p>The Council should consider the issue of 10% of energy demand coming from renewable sources within its viability work and should not rely on the revoked East of England Plan.</p>	<p>Noted. Part I of the policy has been deleted as shown above.</p>	<p><b>No amendment in response to this issue</b></p>
22.15	CC3 Part III	<p>Part III is not justified as the Council has no evidence to make a judgement on the special character of the rural area or on the nature of long distance views. There is no reference to the Landscape Character Assessment. This part of the policy should be removed.</p>	<p>The PPG states that the need for renewable energy does not automatically override environmental protections. The Landscape Character Assessment would be a material consideration in planning decisions. However, impact on the character of the rural area and on long distance views would need to be assessed</p>	<p><b>No amendment in response to this issue</b></p>

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			on a case by case basis taking into account the nature of the proposal.	
22.16	22.4.5 (now 21.4.4)	<p>The paragraph is not positively prepared in accordance with the NPPF and should not require a blanket ban on such technologies within or near urban areas. The paragraph should be revised to say:</p> <p>'The Council will support proposals for renewable forms of energy used for heating. Where proposals are within or near the urban areas of settlements, applications should be supported by an air quality assessment, as explained in Policy EQ4 (Air Quality) (see Chapter 24: Environmental Quality)'.</p>	Agreed. This paragraph should be more proactive than just making an assessment of potential impacts. The Government has incorporated sustainability standards within Building Regulations. Nevertheless, the use of renewable, zero and low carbon technology should still be encouraged.	<p><b>Amendment to text (para 21.4.5):</b></p> <p><del>Some renewable forms of energy used for heating, may, cumulatively or in isolation, result in a rise in particulates which can be harmful to human health. For this reason such technologies will not be permitted</del> <u>The Council encourages proposals that embrace the use of renewable, zero and low-carbon technology. Where proposals are within or near the urban areas of settlements, applications should be supported by an air quality assessment, which details proposed mitigation measures where necessary, as explained in Policy EQ4 (Air Quality) (see Chapter 24: Environmental Quality).</u></p>
General Issues				
22.17		Natural England fully supports climate change adaptation by design and the role that Green Infrastructure can provide in mitigating the effects of climate change.	Support noted and welcomed.	<b>No amendment in response to this issue</b>

**Part 2: Other Proposed Amendments**

Location/ Paragraph/Policy	Issue	Proposed Amendment
21.1.1	The introduction is too narrow in its explanation for the cause of climate change. It should refer not just to the burning of fossil fuels, but also the release of carbon from other practices such as agriculture and deforestation.	<p><b>Amendment to text (para.22.2.1)</b></p> <p>Climate change is caused in part by greenhouse gases that are primarily produced through the burning of fossil fuels <u>and the release of carbon through activities such as agriculture and the loss of woodland for example.</u></p>
21.1.2	The last part of the final sentence of this paragraph should be removed. The Government has incorporated sustainability standards within Building Regulations and therefore policy requirements that require such standards have had to be removed.	<p><b>Amendment to text (para 21.1.2)</b></p> <p>Both modules include practical advice in relation to measures which can help to address climate change, and which should be considered alongside the policy requirements of the District Plan.</p>
21.3.5	Delete paragraph as the Government review has now taken place.	<p><b>Amendment to text (para 22.3.5):</b></p> <p><del>22.3.5 The government is currently undertaking a review of local standards which will include planning and building regulations. The review is likely to address zero carbon standards, carbon and renewable energy targets, and allowable solutions. It is anticipated that this will include the role of planning policy, and therefore the approach outlined here may be subject to change.</del></p>
21.4.2	Reference to out of date national guidance.	<p><b>Amendment to text (para 22.4.3):</b></p> <p>At the same time as promoting renewable energy, the Council is also mindful of the need to ensure that an appropriate balance is maintained between the benefits of renewable energy and other constraints and considerations, <u>in accordance with the National Planning Practice Guidance.</u> <del>The Department for Communities and Local Government (DCLG) issued in July 2013 specific planning guidance for renewable and low carbon energy. Government planning practice guidance can be a material consideration in planning decisions and should generally be followed unless there are clear reasons not to.</del></p> <p>(Box containing text from previous Government guidance also deleted, see amended chapter).</p>
Policy CC3	Response to issue 16.33. Add in the fact that the safe operation of aerodromes will be a factor when	(d) the amenity of neighbouring residents

	considering applications for renewable energy schemes.	(e) air quality and human health; <del>and</del> <del>(f) the safe operation of aerodromes.</del>
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