



POLICY PENN3: REDUCING THE CARBON FOOTPRINT AND ECOLOGICAL IMPACT OF NEW DEVELOPMENTS

5.17 We recognise the difficulties in retrofitting carbon reduction technologies to existing dwellings given the limitations of current technologies and so householder planning applications for extensions and alterations are excluded from these clauses. We will continue to review this and will look to introduce policies for building extensions and householder planning applications in future iterations of our Neighbourhood Plan as suitable solutions become available.

5.18 In addition to preserving the Green Belt, we believe it is also important to retain the tree cover within built-up areas of the Parish which provide important wildlife habitats and 'green corridors' that support the movement of wildlife. We include a clause for new developments which requires proposals to demonstrate the preservation or replacement of tree cover and a 'Biodiversity Net Gain'. This ensures that, as far as possible, the ecological impact and biodiversity loss of any new development is mitigated through compensatory gains on the same site or elsewhere locally.

- A. All new buildings should be 'zero carbon ready' by design. This is intended to minimise the amount of energy needed to heat and cool buildings through landform, layout, building orientation, massing and landscaping.***

- B. Wherever feasible, all new buildings should be certified to a Passivhaus or equivalent standard with a space heating demand of less than 15KWh/m²/year. Where schemes that maximise their potential to meet this standard by proposing the use of terraced and/or apartment building forms of plot size, plot coverage and layout that are different to those of the character area within which the proposal is located, provided it can demonstrate that the scheme will not have a significant harmful effect on the character area, this will be supported.***

- C. All planning permissions granted for new buildings should demonstrate that they have been tested to ensure the buildings will perform as predicted and will include a planning condition to require the provision of a Post Occupancy Evaluation Report to the Local Planning Authority within a specified period, unless exempted by Clause B. Where the Report identifies poor energy performance and makes recommendations for reasonable corrective action, the applicant must demonstrate that these actions have been implemented before the condition will be discharged.***

- D. Development proposals that will lead to the felling of one or more trees including any that are subject to a Tree Preservation Order will be refused. The landscape schemes of all proposals must achieve an increase of canopy cover from the existing level of the site. In addition, on sites of 0.5 ha or more, future canopy cover of at least 25% of the site area within ten years should be achieved. This will principally be achieved through retention and planting of trees, but where it can be***

demonstrated that this is impractical the use of other green infrastructure (e.g. green roofs and walls) can be used to deliver equivalent benefit.

E. Proposals for new developments will be required to deliver a 10% biodiversity net gain. Any proposal that requires off-site compensation to mitigate for biodiversity loss must follow a sequential approach to its delivery. The gain should be delivered within or adjoining the Network, where the land is suited in principle for delivering the necessary gain. If this is not practical, then the gain should be delivered on other land elsewhere within the Parish, such as contributing to the Gomm Valley Biodiversity Opportunity Area, before considering gain within an adjoining Parish that is suited in principle for delivering the necessary gain. Only if it can be shown that this is not practical, may the gain be delivered on other land.

5.19 This policy is in five parts. The combination of the first three parts is intended to deliver a step-change in the energy performance of new developments in the Parish and, in doing so, encourage and incentivise the use of 'Zero Carbon', 'Passivhaus' or equivalent standards of building design. Along with a Passive Design Capacity Assessment, it is anticipated that designers will demonstrate compliance by using a 'design for performance' methodology such as the Passivhaus Planning Package or CIBSE TM34 Operational Energy assessment. Achieving this level of performance will make a significant contribution to mitigating climate change within the Parish. The last two parts are designed to preserve the green networks and biodiversity of the built-up environment in the Parish and the rural nature of our settlements.

5.20 Clause A of the policy requires developers to ensure they address the Government's climate change targets and energy performance at the very initial stages of design. 'Zero Carbon Ready by Design' means making spatial decisions on layout and orientation of buildings at the outset to maximise the passive design benefits ('free heat') of a site and avoids leaving this to technical choices and assessment at the Building Regulation stage, by which time the opportunity may have been lost.

5.21 Clause A also acknowledges that there may sometimes be a trade-off between its objectives and local design policy. Although meeting these standards ought not to compromise a scheme fitting in with the character of a local area, on occasions this may be the case. It therefore allows for some degree of flexibility in meeting the Penn Parish Design Code, especially in terms of prevalent building orientation and density.

5.22 Clause B requires all new development schemes (not householder extensions) to use the Passivhaus Planning Package (PHPP) or equivalent design methodology for all buildings where it is feasible to do so. This means that the applicant must demonstrate those factors that make its use unfeasible, for example, the topography and orientation of the site.

5.23 Clause C operates where the developer cannot or chooses not to use the PassivHaus or equivalent standard. It requires that every building in the consented scheme is subject to a Post-Occupancy Evaluation (POE) including actual metered energy use, and to submit the report to the local planning authority. This provision is implemented by a planning condition being attached to the planning permission, which will only be discharged once the report has been submitted and any recommended actions to rectify any performance gap with the design stage assessment are carried out by the developer. Passivhaus certified schemes cannot fail in this way, hence they are not subject to this clause and will not require a POE report. Further guidance on the purpose and operation of Clause C is contained in appendix C of this document.

5.24 Clause D operates across the Neighbourhood Plan Area. Trees give Penn Parish its distinctively wooded character. It is therefore important that the loss of any trees is avoided, unless it can be demonstrated that it is unavoidable and satisfactory mitigation measures are put in place. This clause specifies how tree canopy cover will be assessed and how it expects mitigation for biodiversity loss to be provided. The policy requires that new developments will only be supported if they show an increase in canopy cover and for major housing developments, if they can achieve the canopy cover within 10 years. Both provisions will encourage preserving or moving existing trees and/or planting larger trees.

5.25 Clause E sets out how the loss of biodiversity-value, likely in new developments on greenfield sites in the Parish, will be addressed through a sequential approach. The new biodiversity net gain requirement of at least 10% (as set out in DM34 and updated by the Environment Act of 2021) should be delivered either onsite or within or adjoining the Network so that the benefits of development are accrued as close as possible to the development site. In every case, attention should be paid to schemes avoiding undermining the openness of the Green Belt. However, it is accepted that the Network in the Parish may not be suited to delivering every type of required off-site gain. In such cases Clause B allows for the gain to be delivered in adjoining Parishes or, as a final resort, on land elsewhere. All trees, including Orchards carry a biodiversity value. The policy also requires a biodiversity net gain to be delivered. This is expected to be in line with national provisions which is expected to be a minimum of 10% as identified in the Environment Act 2021. Net gain will be measured using DEFRA's latest biodiversity metric.