



**Draft Policy CS2  
Energy supply from decentralised and renewable or  
low carbon sources**

**Background Paper  
November 2010**

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This background paper includes a late November update to reflect the ongoing changes to the status of the RSS.

## 1. Introduction

- 1.1 The purpose of this report is to inform policy requirements to be set out in the Hartlepool Local Development Framework, which will seek to ensure that new development has regard to the need to reduce CO<sub>2</sub> emissions and mitigate against the impacts of Climate Change.
- 1.2 Climate Change is a serious global threat and it has the potential to have a negative impact on the lives of people in Hartlepool. Problems that may occur in Hartlepool associated with climate change could include coastal flooding and erosion linked to sea level rise, increased likelihood of storms and other severe weather events that may affect buildings, transport infrastructure and business activities, changes in agriculture and wildlife and plant habitats that will result in changes to our flora and fauna and excess summer heat which could cause health problems for residents and wetter winters that could lead to an increase in flood events. To ensure the residents of Hartlepool have a healthy environment to live, work and play in now and in many years to come it is considered vital to take immediate action to address climate change issues, thus minimising the social, environmental and economic costs of not acting.
- 1.3 Renewable energy covers energy flows that occur naturally and repeatedly in the environment and can include energy from wind, the fall of water, the movement of the oceans, heat from the sun and biomass. They can help provide clean energy for the UK and reduce CO<sub>2</sub> emissions that are associated with electricity generated from coal, gas and oil.
- 1.5 The status of RSS is at this point in time not clear. On 27 May 2010 the Secretary of State wrote to Local Planning Authorities and to the Planning Inspectorate informing them of the Government's intention to abolish Regional Strategies through the Localism Bill and that regard should be given to this as a material consideration in planning decisions.

On 20<sup>th</sup> November 2010 the Secretary of State wrote to Local Planning Authorities and to the Planning Inspectorate informing them of the judgement in the case brought by Cala Homes in the High Court, which considered that the powers set out in section 79 [6] of the Local Democracy, Economic Development and Construction Act 2009 could not be used to revoke all Regional Strategies in their entirety. The effect of the judgement was to re-establish Regional Strategies as part of the Development Plan. Planning Authorities and the Planning Inspectorate should still have regard to the above mentioned letter sent out on 27 May 2010 in any decisions they are currently taking.

- 1.6 In light of this information the Borough Council considered it prudent to set out principles within the Core Strategy instead of relying on any policies within the Regional Spatial Strategy.
- 1.7 The Council are committed to tackling the issue of Climate Change and will seek to incorporate, if possible, a similar renewable energy requirement as that set out in RSS Policy 38 - Sustainable Construction.
- 1.8 This paper reviews European, National, Regional and local guidance along with particular reports that formed part of the RSS evidence base to ascertain the overarching aim of the policy and why the 10% requirement for 10 dwellings and the 1000m<sup>2</sup> non-residential threshold were originally set.

## 2. EUROPEAN GUIDANCE

### DIRECTIVE 2001/77/EC/ OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL, of 27 September 2001 on the energy promotion of electricity produced from renewable energy sources in the internal electricity market

- 2.1 The purpose of the Directive is to promote an increase in the contribution of renewable energy sources to electricity production in the internal market for electricity and to create a basis for a future community framework.
- 2.2 The directive noted that at present the potential for the exploitation of renewable energy sources is underused in the community. The Directive states that the community recognises the need to promote renewable energy and that their exploitation contributes to environmental protection and sustainable development.
- 2.3 The renewable energy market can also create employment, have a positive impact on social cohesion, contribute to security of supply and make it possible to meet Kyoto targets more quickly. It is envisaged that over time an increased market penetration of electricity produced from renewable energy sources will allow for economies of scale, thus reducing costs.
- 2.4 The directive states that the increased use of electricity produced from renewable energy sources forms an important part of the package of measures needed to comply with the Kyoto Protocol.
- 2.5 The directive set out a requirement to all Member States stating that they should set their own national indicative targets for the consumption of electricity produced from renewable sources and that Member States should take appropriate steps to encourage greater consumption of electricity produced from renewable energy sources.

### DIRECTIVE 2002/91/EC/ OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL, of 16<sup>th</sup> December 2002 on the energy performance of buildings

- 2.6 The Directive states that in its conclusions of 30 May 2000 and of 5 December 2000, European Council endorsed the Commission's action plan on energy efficiency and requested specific measures in the building sector. The residential and tertiary sector, accounts for more than 40 % of final energy consumption in the community and this sector is expanding. The expansion of this sector will increase energy consumption and ultimately carbon dioxide emissions.
- 2.7 The objective of the Directive is to promote the improvement of the energy performance of buildings within the community, taking into account outdoor climatic and local conditions, as well as indoor climate requirements and cost-effectiveness.
- 2.8 Article 5 of the directive states that:  
"For new buildings with a total useful floor area over 1 000 m<sup>2</sup>, Member States shall ensure that the technical, environmental and economic feasibility of alternative systems such as:
  - Decentralised energy supply systems based on renewable energy,
  - Combined Heat and Power,

- District or block heating or cooling, if available,
- Heat pumps, under certain conditions,”

2.9 It is noted that the Directive introduces the 1000m<sup>2</sup> threshold, this threshold has been taken forward and used as the threshold in RSS Policy 38.

### 3. NATIONAL GUIDANCE

#### Energy White Paper 2003 - Our energy future – creating a low carbon economy

- 3.1 The Energy White Paper gives a new direction for energy policy by putting the UK on a path to a 60% reduction in its carbon dioxide emissions by 2050. The Government will work internationally to secure the major cuts in emissions that will be needed worldwide. The Government renew their commitment that no household in Britain should be living in fuel poverty by 2016-18.

#### Energy White Paper - Meeting the Energy Challenge (2007)

- 3.2 The Paper sets out national targets to reduce greenhouse gasses by 12.5% below 1990 levels over the period 2008-2012. The Government also set targets that specifically relate to renewable energy generation, as set out below:
- 10% renewable electricity by 2010
  - 20% renewable electricity by 2020
  - At least 40% of electricity to be generated from renewable sources by 2060

- 3.3 The Energy White Paper emphasised the fundamental importance of planning in delivering sustainable development, in making a contribution to a prosperous economy and to a high quality of life. The planning system must support the delivery of the timetable for reducing carbon emissions from domestic and non-domestic buildings.

#### Climate Change Act (2008)

- 3.4 The Climate Change Act enhances the UK's ability to adapt to the impact of climate change. The Act sets out that UK targets to reduce carbon dioxide emissions through domestic and international action are as follows:
- at least a 34% by reduction by 2020 and
  - at least a 80% reduction by 2050, against a 1990 baseline

#### The UK Low Carbon Transition Plan (2009)

- 3.5 The Plan outlines the policies and proposals that will be put in place to decarbonise the UK economy to achieve an 18% reduction on 2008 levels (34% on 1990 levels) in carbon emissions by 2020 and a 7-fold increase in energy from renewable sources over the same period.

#### The UK Renewable Energy Strategy (2009)

- 3.6 The strategy sets out how the UK will meet the EU target of ensuring that 15% of energy comes from renewable sources by 2020, which will require a seven-fold increase on current levels. The lead scenario assumes, to meet this target more than 30% of electricity will be generated from renewable sources.

#### Energy Bill (2010)

- 3.7 The Energy Bill will take forward important elements of The UK Low Carbon Transition Plan related to decarbonising the power sector, by facilitating the demonstration of commercial scale Carbon Capture and Storage (CCS) and improving the fairness of the energy markets through the implementation of mandated social price support and other amendments to strengthen the

powers of the Government and Ofgem (the regulator) in order to better protect the consumer.

#### 4. PLANNING POLICY STATEMENTS AND GUIDANCE

##### Planning Policy Statement 1 - Delivering Sustainable Development (2005)

- 4.1 Sustainable development is the core principle underpinning planning. A widely used definition was drawn up by the World Commission on Environment and Development in 1987:

*“Development that meets the needs of the present without compromising the ability of future generations to meet their own needs.”*

- 4.2 Local planning authorities should ensure that development plans contribute to global sustainability by addressing the causes and potential impacts of climate change, through policies which reduce energy use, reduce emissions (for example, by encouraging patterns of development which reduce the need to travel by private car, or reduce the impact of moving freight), promote the development of renewable energy resources, and take climate change impacts into account in the location and design of development.

##### Planning Policy Statement 1 supplement - Planning and Climate Change (2007)

- 4.3 PPS1 on Climate Change, sets out the importance of tackling Climate Change and states that through planning policies, local authorities have the power to help meet the overall governments aim to reduce carbon emissions. New development should make good use of opportunities for decentralised and renewable or low carbon energy and minimise future vulnerability in a changing climate. Local Planning authorities should provide a framework that promotes and encourages renewable and low carbon energy generation and ensure that any approach to protecting landscape and townscape is consistent with PPS22 and does not preclude the supply of any type of renewable energy other than in the most exceptional circumstances. PPS1 states that planning authorities should have an evidence-based understanding of the local feasibility and potential for renewable and low-carbon technologies, this can include microgeneration, to supply new development in their area. Site-specific targets drawn up in line with this PPS may enable the local authority to request that developers provide a proportion of the energy supply of new development to be secured from decentralised and renewable or low-carbon energy sources.

##### Planning Policy Statement 22 - Renewable Energy (2004)

- 4.4 PPS22 focuses on renewable energy and states that an increase in the development of renewable energy resources, large or small, is vital to facilitating the delivery of the Government’s commitments on climate change and renewable energy. Paragraph 8 legitimises the fact that local planning authorities may include policies in local development documents that require a percentage of the energy to be used in new residential, commercial or industrial developments to come from on-site renewable energy developments.
- 4.5 Paragraph 8 extract:  
*Local planning authorities may include policies in local development documents that require a percentage of the energy to be used in new*



*residential, commercial or industrial developments to come from on-site renewable energy developments. Such policies:*  
*(i) should ensure that requirement to generate on-site renewable energy is only applied to developments where the installation of renewable energy generation equipment is viable given the type of development proposed, its location, and design;*  
*(ii) should not be framed in such a way as to place an undue burden on developers, for example, by specifying that all energy to be used in a development should come from on-site renewable generation.*

- 4.6 The guidance states that policies should not be framed in such a way as to place undue burden on developers and ensure that the installation of renewable energy generation equipment is viable given the type of development proposed. PPS22 does not set a specific target for the percentage of renewable technologies to be provided on site.

Planning Policy Statement 22 - Renewable Energy Companion Guide 2004

- 4.7 The companion guide was prepared during the period between consultation on the draft PPS22 and the issue of the final version in the autumn of 2004. Draft PPS22 did not contain the text now within Paragraph 8 of the final version. The Companion Guide contains a section on “Integration in new development” which deals in general with the preparation of LDF policies for on-site generation and set out examples of policies from the Merton and Oldham Unitary Development Plans. The Technical Annexes include information relevant to on-site generation. The guide provides a starting point but it does not offer any specific guidance on how to implement on-site renewable policies. PPS22, in its final version, has legitimised the approach being taken, but the timing meant that no detailed national advice was included within the Companion Guide.

The Town and Country Planning (Development Management Procedure) (England) Order 2010

- 4.8 Major definition to go in  
Major development means development involving any one or more of the following-
- (a) the winning and working of minerals or the use of land for mineral – working deposits;
  - (b) waste development
  - (c) the provision of dwelling houses where
    - (i) the number of dwellings to be provided is 10 or more; or
    - (ii) the development is to be carried out on a site having an area of 0.5
  - (d) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or
  - (e) development carried out on a site having an area of 1 hectare or more.

## 5. REGIONAL GUIDANCE

### North East Renewable Energy Strategy (2005)

- 5.1 The Strategy states that the North East region, through its planning, economic development, sustainability and other strategies, should adopt and positively strive to achieve the Government's targets and aspirations for renewable electricity which are:  
10% of regional consumption by 2010, and  
20% of regional consumption by 2020
- 5.2 The strategy provided the technical work that underpinned the targets set out within the north East Regional Spatial Strategy policy 38.

### The North East England Climate Change Adaptation Study (2008)

- 5.3 The Adaptation Strategy projects climate changes across the region to 2050 and provides details of the impact of climate change, what changes are likely to happen, which areas will be most affected and what step can be taken to prepare and adapt to those changes.

### Tees Valley Climate Change Strategy (2006)

- 5.4 The strategy aims to facilitate co-operation of all individuals and public and private bodies together, to safeguard the future of the Tees Valley. The strategy aims to achieve a minimum 8.75% reduction in CO<sub>2</sub> equivalent emissions below 2000 levels by 2012.

### Building in Sustainability: A Guide to Sustainable Construction and Development in the North East (2002)

- 5.5 Building in Sustainability was published by Durham County Council on behalf of a wide range of partners. It is a guide to sustainable construction and development, using examples and case studies from across the North East. The section dealing with energy covers topics such as insulation, passive solar design and a range of renewables at different scales. The main strengths of the document are that it brings together such a wide range of factors affecting the sustainability of buildings. The guide does a satisfactory job in introducing and illustrating renewable technologies.

### The Regional Spatial Strategy (RSS) (2008)

- 5.6 The RSS is committed to the generation of at least 10% of the region's consumption of electricity from renewable sources by 2010, and in line with the 2003 Energy White Paper aspires to increase this figure to 20% by 2020. The RSS forms part of the Hartlepool Local Development framework and contains policies that can be, and have been, used as a material consideration in determining planning applications.
- 5.7 RSS policy 38 (d) sets out a specific requirement that 10% of the energy from major developments of 10 or more dwellings or 1000m<sup>2</sup> of non residential floor space should come from a decentralised or renewable source. However local planning authorities could decide to aim for a higher local target and these local targets, if any, should be included within LDF's.

Figure 1 RSS Policy 38 Sustainable Construction

## Policy 38

### SUSTAINABLE CONSTRUCTION

Strategies, plans and programmes, and planning proposals should:

- a. ensure that the layout and design of new buildings and developments minimise energy consumption;
- b. encourage and promote opportunities for new developments or the redevelopment or refurbishment of existing buildings to achieve high energy efficiency and minimise consumption in terms of energy efficiency best practice, BREEAM rating and the Code for Sustainable Homes;
- c. encourage and facilitate homeowners and businesses in improving their energy efficiency and reducing consumption; and
- d. promote and secure greater use of local renewable energy in new development, including through Development Plan Documents, setting local level size thresholds for major new development and require all relevant developments, particularly major retail, commercial and residential developments, to secure an ambitious but viable percentage of their energy supply from decentralised and renewable or low carbon sources. In advance of local targets being set in DPDs, major new developments of more than 10 dwellings or 1000m<sup>2</sup> of non-residential floorspace should secure at least 10% of their energy supply from decentralised and renewable or low-carbon sources, unless, having regard to the type of development involved and its design, this is not feasible or viable.

Source: Regional Spatial Strategy July 2008

- 5.8 Policy 38 of the RSS is regularly used in planning decisions at the moment. Hartlepool Borough Council have over the years considered the RSS requirement to be acceptable.
- 5.9 As outlined in the introduction, the status of the Regional Spatial Strategy is at this point in time unclear. The North East RSS still forms part of the Hartlepool Development Plan for Hartlepool. However, the Government does intend to abolish the RSS and place decision making powers back to the local authorities. In light of this information it is considered necessary to review important policies within the RSS to ascertain where, once the RSS is abolished, gaps in policy may occur. In the future, with the abolition of the RSS, it will not be possible to rely upon RSS policy 38.
- 5.10 CLG guidance states that the evidence base used to inform the preparation of the RSS may continue to be a material consideration in determining planning applications and for the preparation of local plans. If evidence is considered to be of local relevance and has not been superseded by further data.

The Northern Energy Initiative (TNEI) services Study in Support of Submission Draft RSS Policy 40 Final Report November (2005)

- 5.11 The Northern Energy Initiative forms part of the RSS evidence base. The Northern Energy Initiative (TNEI) was commissioned by the NE Assembly in August 2005 to produce a study that reviews relevant current policy making and practice in the renewables field through literature research and telephone interviews. The NE Assembly requested TNEI to demonstrate that RSS Policy 40 (now 38) was justified, reasonable and practical and satisfied the test of soundness.  
A further objective of the study was to give advice to local authorities when drafting Development Plan Documents and Supplementary Planning Documents within Local Development Frameworks (LDFs) in relation to embedded renewable energy.
- 5.13 When considering paragraph 8 part (i) of PPS22 TNEI deduced that viability can include both economic and physical factors, economic viability can include:
- The additional costs of renewable energy over and above conventional approaches;
  - The rate of return based on capital and running costs of using a particular technology and the expected the payback period; or
  - Comparison with alternatives.
- 5.14 When considering paragraph 8 part (ii) TNEI considered that undue burden partly relates to economic viability, it also includes the required proportion of on-site renewable energy. PPS22 does not set a specific percentage figure, however, to date, the majority of planning policy documents that include a policy that relates to PPS paragraph 8 have chosen to adopt a 10% target.
- 5.15 Paragraph 8 of PPS22 is not tied to major developments therefore LDF`s can include policies that require a proportion of on-site renewable energy in respect of any scale of development.  
The TNEI study demonstrates that sufficient work has been undertaken within the London 'Toolkit' (as discussed on page 12-13), Revision 2020 (as discussed on page 13) and elsewhere to show that a range of renewable technologies are available which can readily achieve a 10% renewable energy on-site target, which adds less than 5% to build cost, and which can be applied to a wide range of development type and site specific circumstances.
- 5.16 The study investigated the requirements set by other Local Authorities within their Unitary Development Plans and Local Development Frameworks. The London Borough of Merton was the first local authority to set a target in its adopted Unitary Development Plan for 10% on-site energy generation from renewables for all new major commercial developments in the Borough.

**Figure 2, London Borough of Merton Unitary Development Plan  
Policy E.11**

**POLICY E.11: ENVIRONMENTAL IMPROVEMENTS FROM  
EMPLOYMENT DEVELOPMENT**

TO ACHIEVE ENVIRONMENTAL BENEFITS, EMPLOYMENT DEVELOPMENTS WILL BE EXPECTED TO BE OF HIGH QUALITY AND LAYOUT.

ALL NEW INDUSTRIAL, WAREHOUSING, OFFICE AND LIVE/WORK UNITS OUTSIDE CONSERVATION AREAS AND ABOVE A THRESHOLD OF 1,000 SQM WILL BE EXPECTED TO INCORPORATE RENEWABLE ENERGY PRODUCTION EQUIPMENT TO PROVIDE AT LEAST 10% OF PREDICTED ENERGY REQUIREMENTS. THE FOLLOWING WILL BE SOUGHT THROUGH NEGOTIATIONS:

Source: London Borough of Merton Unitary Development Plan

- 5.17 In 2005 when the TNEI study was being produced over 100 local authorities were in the process of following Merton's lead in including pro-renewables planning policies within Unitary Development Plans and Local Development Frameworks.
- 5.18 TNEI stated that those authorities that have had policies in place over the last 1-2 (2003-2004) years reported a number of successes. After a period of uncertainty, and some resistance, developers are now accepting these policies as the 'way forward' and some are bringing forward innovative projects with enthusiasm.

*London Renewables 'Integrating renewable energy into new developments Toolkit for planners, developers and consultants'*

- 5.19 The London Renewables 'Toolkit' was prepared to assist planners and developers in implementing policies 4A.7, 4A.8 and 4A.9 of the 2004 London Plan. The Toolkit provided a methodology and data to help understand what is feasible both in general terms and in relation to a particular project. The 'Toolkit' includes the following material:
- A guide to relevant technologies including information regarding cost ranges and some case studies.
  - A 'Route Map' which can be used to consider whether a particular technology may be appropriate for a specific development or site.
  - A series of 'Rules of Thumb' indicating which technologies are likely to be relevant to a range of development types.
  - A series of benchmark energy consumption figures.
  - A methodology and template for calculating carbon emissions from energy use associated with a specific project, followed by a calculation of carbon reductions achieved by introducing on-site renewables, technology by technology.
  - A methodology to decide which is the most effective technology to meet a specified target of carbon savings.
  - Advice on how to include renewable energy proposals within planning applications.
  - A series of reference tables which for a range of development types indicate the increase in base building costs related to the relevant technologies.
  - A rationale for the selection of technically feasible renewable energy sources.

- A series of worked examples for specific types and sizes of building indicating the cost of adding different renewable technologies and the carbon savings achieved.
- 5.20 The final section of the London Toolkit deals with factors affecting the cost of renewable technologies, an overview on how developers cost developments, the planning framework and other sources of information. The 'Toolkit' has been a landmark publication which is already proving successful in the Capital in relation to major development projects.
- 5.21 Its approach of moving from a calculation of a baseline energy demands and carbon emissions through an assessment of the relevance, cost and effectiveness of specific renewable technologies is logical, clearly set out and well exemplified.
- 5.22 TNEI considered that the approach put forward in the 'Toolkit' is as relevant to proposals in the North East, and the implementation of RSS Policy 40 (now 38) as it is to the London Plan.

*REvision 2020*

- 5.23 REvision 2020 was a project funded by the Government Office for the South West in partnership with the South West Regional Assembly. The objective was for the outcomes of REvision 2020 to provide support for the proposed South West RSS on-site renewable energy policy.
- 5.24 The study analysed the impact on technical viability and build cost of a 5%, 10% and 15% carbon reduction on site renewable energy generation. It was decided that a 5% additional build cost (excluding land value) is the limit for what would not be regarded as an 'undue burden' by developers.
- 5.25 A series of graphs in Annex 7 of the report indicate % carbon savings in relation to % increases in build costs set out by development type and technology.
- 5.26 Examples from the graph include:
- In medium density housing, solar hot water would only add 1% to build costs but would save 10% carbon;
  - For a sports centre with swimming pool ground source heat providing 50% of the heat load would add 3% to build costs and save 10% of carbon
- 5.27 A series of summaries are included in the REvision 2020 report which indicate which technologies and penetration rates would achieve 5%, 10% and 15% carbon reductions without adding more than 5% to build costs.
- 5.28 Information was gathered on the typical examples of developments coming forward for planning consent and suitable technologies for these developments. The build cost assumptions for a variety of development types and capital cost rate of renewable technologies were also calculated. From the resulting information, graphs were plotted and established, which technologies are suitable for the 5%, 10% and 15% criteria.
- 5.29 The choice of a 10% carbon reduction target was chosen based on the above analysis and it was considered an acceptable requirement that would strike a

balance between being viable and challenging whilst not placing an undue burden on developers.

TNIE conclusion

- 5.30 TNIE noted that on-site renewables policies are being included in each of the most recent RSS documents. They are clearly stated in the South East and East of England, South West and North East documents. At regional level a 10% target has become the norm, with flexibility being given to local planning authorities to justify increases. North Devon has opted for a higher setting of a 15% target. Some of the RSS policies simply state the threshold, others relate it to a definition of major development, either way the policy is still in accordance with PPS22 and thus meets one of the tests of soundness.
- 5.31 After reviewing evidence bases of other regional authorities and the policies that are already in place or emerging. TNEI concluded that there was sufficient evidence to ask for the requirement as set out in RSS Policy 38. At a regional level a 10% target has become accepted, as it has been shown through Revision 2020 that significant carbon savings can be achieved while adding less than 5% to build costs, thus proving that a 10% requirement is not an undue burden on developers.
- 5.32 There is some variation on the thresholds to which policies apply. Some policies exclude housing, others apply a 10, 50 or 100 unit starting point. For commercial development 1,000sqm is the common starting point, some plans simply state the threshold, others relate it to a definition of major development.
- 5.34 The investigation concluded that there is encouraging evidence of the successful application of on-site renewables policies and growing confidence in their use. Experience in applying similar policies in other parts of England indicates that projects can remain viable and invest in on-site renewables.
- 5.35 TNIE stated that RSS Policy 40 (now 38) was compliant with PPS22 Paragraph 8, as it applies the target to all development regardless of scale, while at the same time drawing attention to the importance of ensuring that the target is reached in major developments, which are the most significant consumers of energy, and the percentage requirement set is considered acceptable as it would not place an undue burden on the developer.

## 6. LOCAL GUIDANCE

### Hartlepool Declaration on Climate Change (2004)

- 6.1 The Hartlepool Partnership signed the Hartlepool Declaration on Climate Change in October 2004. By signing the declaration the Partnership agreed a commitment to developing a Climate Change Strategy across all elements of and sectors in the partnership, establishing a baseline of greenhouse gas emissions for the town and developing a community action plan to reduce emissions and adapt to climate change.

### Hartlepool Climate Change Strategy (2007- 2012)

- 6.2 The Hartlepool Climate Change Strategy focuses on several topics including adaptation, waste and transport and aims to reduce our CO<sub>2</sub> emissions and adapt to climate change.



## 7. Conclusions

- 7.1 As set out in the introduction of this paper, the future of the North East Regional Spatial Strategy is currently unclear; Policy 38 has been used when determining previous planning applications within the Borough. The Council are committed to meeting the government's targets of reducing CO<sub>2</sub> emissions and therefore consider it prudent to incorporate similar requirements as set out in RSS Policy 38, within the Core Strategy.
- 7.2 The Council consider that the requirements set out within RSS Policy 38 would be suitable requirements for Hartlepool developments. The requirements to be set out within the Hartlepool LDF should reflect those set out in RSS policy 38.
- 7.3 Based on the evidence prepared for the RSS, which was clearly tested at examination in public in 2006 and the documents assessed that have informed this report, it is considered that a minimum of 10% is not an excessive target in the context of additional build costs and could have a significant impact on meeting targets to reduce CO<sub>2</sub> emissions.
- 7.4 For some applications that are in less sustainable locations or on Greenfield land a greater percentage may be required. This could help improve the overall sustainability of development sites, assist in meeting the governments target to reduce CO<sub>2</sub> emissions and help provide a high quality environment and way of life for residents and visitors now and in the future.
- 7.5 The Council consider that the application of the 10% requirement should only apply to `major` applications (as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2010).
- 7.6 Some smaller scale developers may see the requirement as an undue burden however major developments that are more likely to have a significant increase in CO<sub>2</sub> emissions, but have greater profit margins therefore the 10% requirement is considered acceptable as it should not have a significant financial impact upon build costs that can not be off set against profit margins. As indicated in European directive 2001/77/EC as more renewable energy technologies are used, the price will fall due to economies of scale.
- 7.8 It is considered that the incorporation of a similar requirement as set out in RSS Policy 38 is compliant with PPS22 Paragraph 8, in that it applies the requirement to major developments where viable, and sets an acceptable percentage requirement will not place an undue burden on developers.
- 7.9 Developments will be required to demonstrate how this renewable energy target will be met. The Carbon Mixer Tool Kit commissioned by the North East Assembly and One North East was produced by NaREC, BRE, CP Energy and Bobby Gilbert & Associates Ltd is a tool that can assist developers and planners. The toolkit provides software capable of exploring the types of technologies and methods appropriate to individual developments to meet CO<sub>2</sub> reduction and energy reduction requirements.
- 7.10 Where it can be proven that it is not viable or would place undue burden on the development to derive a minimum of 10% of the energy needs from renewable resources, a lower percentage will be considered acceptable and/or the development should seek to make up any shortfall through additional energy efficiency measures in building construction and layout.