

CULHAM NEIGHBOURHOOD PLAN: RESPONDING TO THE EXAMINERS QUESTIONS

Response to the Examiner's Third Clarification Note

Examiner's question:

Context

This note follows on from the second clarification note.

I have now received responses from the owner/potential developer of the Culham Science Centre and land adjacent to the Culham Science Centre as allocated in the Local Plan (Policies STRAT8 and STRAT9) on the potential impact of Policy CUL9 of the Plan on commercial viability.

Invitation to the Parish Council

This note provides an opportunity for the Parish Council to comment on the two responses.

I would be grateful for comments by 28 November 2022. Please let me know if this timetable may be challenging to achieve. It is intended to maintain the momentum of the examination and overlap with the earlier clarification notes.

In the event that certain comments are available before others, I would be happy to receive the information on a piecemeal basis. However irrespective of how the information is assembled, please could it come to me directly from the District Council.

Response:

The Parish Council is grateful for the extension of time to respond. The concerns of some commenting on the Neighbourhood Plan that the policy has not been viability tested indicates a misunderstanding of the policy's intent and operation.

Such testing would only be necessary if the policy made the PassivHaus standard a requirement that must be met by all proposals. The policy wording in Clause B, 'where feasible' was intended to clarify the position but it appears that further clarification is necessary. We have therefore made some modifications to the supporting text (see below) for the examiner to consider. It now uses the term 'incentivises' in relation to the standard, a term that is considered to reflect more accurately the policy goal than simply offering encouragement.

Critical to the incentive is the operation of Clause C. The use of planning conditions to require matters to be address, and the condition discharged, after the construction or occupancy of buildings is not unusual. Indeed, Policy DES10 already requires the provision of an Energy Report at the post-construction stage. This additional requirement ought therefore not to be a cumbersome or expensive process for either SODC or the developer to render the policy unviable, if the latter ensures buildings are constructed to standard proposed in the Energy Statement.

That all said, as we note in the supporting text, it is now clear that the additional costs of building to a zero carbon standard are within the margin of build costs. It appears that many developers and housebuilders are 'pricing in' the need to meet such standards within the next five years anticipating that Government will need to make national requirements as part of its climate change obligations. In this regard we note that the land interests of the strategic allocation accept that much if not all of that scheme will be delivered in the latter part of the Local Plan period. Any remaining price premium to meet prevailing is likely to be negligible in relation to the overall costs of building out that scheme. Besides, we note that key beneficiaries – the building occupiers – will appreciate the far lower energy costs of running their properties.

Proposed modification:

5.34 Its Clause B ~~requires~~ **incentivises** all schemes, no matter what their intended use or size other than 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.~~ **It is acknowledged that it may not be feasible to do so on some sites or schemes for practical reasons which should be explained in the application.**