

**From:** Thickett, Tony  
**Sent:** 29 December 2015 13:59  
**To:** ProgrammeOfficer  
**Subject:** RE: Policy E11 - UNCLASSIFIED:

Can you send this to Mr Freeman please:

Strategy 38

Thank you for your e mail of 9 December and suggested amendment to Strategy 38 to reflect the abolition of the Code for Sustainable Homes. Strategy 38 is subject to a main modification which has been subject to consultation. In my view, most of the further suggested changes to Strategy 38, because they reflect changes to national policy and therefore are a 'given', do not constitute a modification which requires additional consultation and I will incorporate them into the existing main modification.

However, the proposed change to the final paragraph which seeks to introduce local standards through a Supplementary Planning Document does not comply with the Planning Practice Guidance which refers to such standards being set through Local Plans. Consequently, I will not incorporate that change into the modification.

**From:** Ed Freeman  
**Sent:** 09 December 2015 12:09  
**To:** ProgrammeOfficer  
**Cc:** Matthew Dickins  
**Subject:** RE: Policy E11 - UNCLASSIFIED:

Dear Mr Thickett

I write in response to your emails below with regard to Strategy 38 and Policy E11.

Strategy 38 – Sustainable Design and Construction

I would advise that, in principle, I would be minded to have as robust a policy position as possible to support, encourage and where viable require the highest standard of sustainable construction. I do, however, appreciate changes in national Government policy which have abolished the Code for Sustainable Homes and direct us towards locally set standards. There would clearly be work involved to gather local evidence to inform and justify local standards. To do such work, for this local plan, would not appear possible, especially bearing in mind the desire for adoption at the earliest possible opportunity.

It should be noted that the BREEAM standards are still in place and while the government move towards locally set standards needs to be addressed I would want to refer to the BREEAM standards for commercial developments in the interim.

In terms of possible plan changes my favoured option would be for retention of policy as drafted, though with minor amendments to delete reference to the 'Code for Sustainable Homes' but retain

reference to 'BREEAM' in advance of the adoption of locally set standards. I have attached a tracked changes version of Strategy 38 with suggested revisions to enable this approach. I hope you will agree that these changes which amount to deleting references to the code and referring to future local standards rather than national standards do not significantly alter the policy and would not constitute a main modification.

#### Policy E11 – Large Stores and Retail Related Uses in Town Centre Areas

The last sentence of Policy E11 was added because of concerns about proposals for additional permitted development rights that would enable the change of use of town centre retail premises to other uses. These concerns arose from the governments consultation in July 2014 entitled "Technical Consultation on Planning" which included proposals for a permitted development right to enable the change of use of retail premises to assembly and leisure uses (D2) as well as restaurants and cafes (A3). While such uses have a role to play in any town centre there was concern that if unchecked such uses could erode the retail function of our town centre's and their important economic role particularly if not controlled within primary retail frontages. Similarly there was concern that further future changes to the permitted development order could further impact detrimentally on the economic role of our town centre's.

The government have not responded to the consultation of July 2014 with regard to these proposals, however I would accept that powers already exist to address these concerns such as the power to remove permitted development rights by condition on new premises and these powers could be used whether the wording in Policy E11 is included or not. I would therefore be content to delete this sentence from Policy E11 if you feel this would be more appropriate.

I hope these comments are helpful.

Regards

Ed Freeman  
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Tel: 01395 517519

**From:** Thickett, Tony  
**Sent:** 04 December 2015 11:20  
**To:** ProgrammeOfficer  
**Subject:** Policy E11

Can you ask what alternative uses they had in mind when they added the last sentence to Policy E11?

**From:** Thickett, Tony  
**Sent:** 30 November 2015 17:22  
**To:** ProgrammeOfficer  
**Subject:** Strategy 38

Can you send this please.

Strategy 38 – Sustainable Design and Construction, refers and includes requirements relating to the Code for Sustainable Homes and BREEAM. In March this year the Government issued a Written Ministerial Statement which introduced a new system of housing standards and included advice regarding the use of local standards in Local Plans (the National Planning Guidance [PPG] was also changed). I appreciate the proposed change to the penultimate paragraph of Strategy 38 was designed to anticipate the national standards but, given that they are now in place, has been overtaken by events. I would welcome your views and any suggestions as to how we resolve this.