

Annex B: Schedule of Comments from the consultation process

	Comments	CYC Response
1	<i>Status/Weight of the document</i>	
1.1	Should produce an SPD rather than an SPG. PPS 12 paragraphs 5.22 to 5.24 explain the position of SPG or, under the new system, SPD. Existing SPG can only be used as a material consideration if the adopted plan policy on which 'hangs' is formally saved. As the City of York Council does not have any saved policies then there can be no existing SPG for the York area. Any new documents produced since the Planning and Compulsory Purchase Act 2004 should be SPD.	In light of the comments raised, it is agreed that by producing a Supplementary Planning Guidance this may contradict with the guidance set out in PPS12. However it is still considered by the Council that an interim guidance is needed until an SPD can be produced. As the Council have yet to adopt their Core Strategy, work on an SPD can not yet start. To avoid confusion the SPG will now be re-named as an IPS (Interim Planning Statement). This can be found in Annex A of te Committee Report.
1.2	As there is no adopted Local Plan in the York area and nothing to link this document to, it would not be correct to call it either an SPG or an SPD. We also consider that York should be focusing resources on progressing the DPD proposed in the revised LDS as an immediate priority. Use of draft policy GP4 in the draft SPG is not appropriate within the new planning system. It mixes objectives which should be in the Core Strategy e.g. a) accessibility, b) social needs and c) economic prosperity, with details e.g. l) on storage waste, which should not.	The Draft Local Plan and subsequently Policy GP4a has been approved for development control purposes and therefore does have a link to this document. We agree that the production of Development Plan Documents under the new planning system is essential; however with realistic targets in place, it is essential that the Council has interim measures in place to ensure that development is continuously sustainable. It is considered that when the Core Strategy has been adopted, the development of a Sustainable Design and Construction SPD will be produced to replace this document. Adoption of the Core Strategy is expected in February 2010. The timetable for all of the LDF documents can be found on our website: www.york.gov.uk/environment/planning
1.3	Any reference to the City of York Local Plan Policy GP4a must make clear that it has not been the subject of any independent scrutiny through the statutory plan-making 1system and does not form part of an adopted development plan. This will require	The IPS is clear that the Local Plan is draft and that the IPS will be used as a material consideration. Further explanation is not needed within the document and it should certainly not encourage developers to not meet the IPS requirements. Therefore it is not deemed necessary to make

	changes to Paragraphs 1.1 and 1.2, including a clear acceptance that any requirements arising from Policy GP4a cannot be mandatory on developers.	Changes to paragraphs 1.1 and 1.2. The Overview also sets out the status of the IPS.
1.4	Make clear what weight and priority each aspect of the guidance should be. Some aspects of sustainability go to the core of what CYC are trying to achieve and are grounds for refusal whilst others may be negotiable if they conflict with another planning aspiration such as privacy or appearance.	For the purpose of the IPS, weight is not given to any particular aspect. This is because the IPS is based around policy GP4a where no weight is specified, however it may be worth prioritising issues in future LDF documents.
1.5	What happens when someone decides that they do not wish to spend thousands of pounds on obtaining a rating? Bearing in mind the Building regulations – Sections A4 and A5 and BREEAM are supernumerary. (Also applies for small scale developments). It is not clear what weight this document will carry in the planning process, with the transition from ‘Local Plan’ to Local Development Framework’	Currently the IPS is used as a material consideration, however we are expecting that legislation called “The Validation of Planning Applications” will be passed by April 2008 which will enable us to apply local requirements for applicants to comply with to ensure applications are validated.
1.6	There can be no general policy requirement for developers to prepare a sustainability statement based upon the Local Plan policy. For the avoidance of doubt, there is no such requirement in national or regional policy.	The development control local plan has been agreed by members for DC purposes therefore we are able to use the local plan as planning guidance. Within the Local Plan it states that all applications are required to be submitted with a sustainability statement, therefore this is what is required.
1.7	PPG22 (paragraphs 8 and 22) makes clear that any requests for incorporating renewable energy proposals in new developments should be set out in development plan policy. It is not a matter which should be dealt with by a draft informal policy which cannot be the subject of any independent scrutiny. In this regard, it is significant that the BREEAM standard imposes no such requirement.	The City of York Council’s Core Strategy is not due to be adopted until 2011, therefore there are currently no renewable energy targets set at a local level. The target stated within the IPS reflect those set at a regional level. Policy ENV5 within the draft RSS (December 2005) states that all development strategies, plans and decisions will maximise renewable energy capacity by requiring at least 10% of energy to be used in sizable new development to come from on-site RE sources.
2	Implementation / Monitoring / Process / Cost	

<p>2.1</p>	<p>Concerned over the implementation of the requirements because of;</p> <ol style="list-style-type: none"> 1. Staff levels to respond to requests for information and pre-apps in acceptable time limits. Also who will monitor and enforce the requirements? 2. Staff with required experience, knowledge and training to help rather than hinder progress. 	<p>The requirements of the IPS will be dealt with in a similar way to other planning requirements. The requirements will be enforced using conditions and will be monitored by the enforcement team. All of the City of York Council Development Control officers, enforcement officers and officers from the plans processing unit have received training explaining how the guidance works and what it entails. This consisted of several 2 hour sessions in which officers were able to raise questions and gain a detailed understanding of the process. Guidance notes will also be provided to DC and admin staff on the new requirements.</p> <p>In addition to this several Council member and officer also received official training from BRE (British Research Establishment) during the consultation period. Therefore it is felt that staff are now able to deal with applications in this sense.</p>
<p>2.2</p>	<p>Who will carry out the BREEAM assessment?</p>	<p>For large scale non-residential developments a BREEAM assessor should be appointed. Further information can be obtained from the BRE website www.bre.co.uk It is suggested that further information of how BREEAM will work should be added. This can now be found in Appendix 1.</p>
<p>2.3</p>	<p>Suspect that a whole new industry will develop consisting of experts who will frame submissions for applicants and thus all the boxes will be ticked. This will cost the applicant money which in the case of a domestic proposal would be in addition to planning fees.</p>	<p>In line with government guidance the code for sustainable homes, it is recommended that all new residential developments undertake the assessment. This inevitably will be done at a cost, however a key issue here is that the Council are promoting an invest to save principle. By investing in good design, materials and technology it will save money over the lifetime of the building and reduce running costs. It should also be noted that there is no assessment required for domestic extensions.</p>
<p>2.4</p>	<p>The cost to the developer will make most proposals unviable because of the number of new consultants involved (ecologist, BREEAM assessment consultant, Construction products</p>	<p>This has created a level playing field, as most developers will need to adhere to numerous assessments. This is to ensure that developments are sustainable in all senses.</p>

	assessment, Lighting engineers, pollution consultants, etc.) It will hugely increase resources and cost to undertake even the simplest development. At the worst it will result in development grinding to a shuddering halt. The planning system is bad enough at present.	
2.5	To reduce such cost it would be most helpful if a typical example could be provided by the Council (based on a semi-detached dwelling extension or some similar project). This would then give some incite into exactly what the Council will be requiring.	Worked examples have been included as Annex C to the committee report and can be included as an Appendix to the IPS if members request that this is done. These could also be made available on the website. Please note that the IPS doesn't require BREEAM for a domestic extension.
2.6	Any SPG that is agreed should be phased in and not made compulsory throughout on one day. Both officers and applicants need time to adjust to get used to new requirements. The first phase should be for sustainability statements only for very large projects.	This IPS is seen as an interim measure and therefore the Council will use this to learn from before developing specific planning policies as part of the LDF. Officers and members of the Council have received training from the BRE and are therefore aware of the requirements to support developers and their applications.
3	<i>Building Regulation Queries</i>	
3.1	Main concern is 'minor amendments' to approved schemes. The latitude used by some authorities previously to accommodate design development of schemes which had been designed by the clients consultants for purely aesthetic reasons without due regard for what was buildable and environmentally functional (compliance with building regulations approved documents, L1 & L2), would result in a material change, requiring a new application. Whilst this may be viewed by many as a positive action in ensuring that the design is more thoroughly developed prior to a planning submission, (consultants producing designs which have been tested for technical robustness) it is currently causing clients and contractors alike concern as some designs	The IPS seeks to introduce the requirements for sustainable design and construction at the earliest stage of the proposal to ensure they are incorporated. This means that issues such as buildability will need to be addressed earlier and may actually help to prevent the situation described here from occurring.

	<p>are gaining approval which subsequently require resubmission with modifications to ensure compliance with building regulations.</p> <p>Energy efficiency in a building's end use and construction is manifestly the responsibility of the building regulations part L. In addition, the government intend to further increase the controls on new construction via further amendments to the building regulations within the next 2 years.</p>	
3.2	<p>Many of the requirements are not appropriate at planning application stage – e.g. BREEAM energy assessments, comments on use of local labour and materials – these would be more relevant to the Building Regs stage.</p>	<p>BREEAM and code assessment strongly suggest that they are involved with the application at the earliest stage. This is to ensure that proposals will meet the required target. Although it may be difficult to say i.e. whether local labour will be used, the applicant could indicate that thought is being given to the issues at the application stage.</p>
3.3	<p>As 'green' materials, systems and installations are integral to a building's overall construction, voluntary BREEAM's are best left to RIBA (what does this mean?) work stage F3 in conjunction with detailed applications for consents under the Building Regulations. This would not prevent your council making the subsequent provision of such assessments, a planning condition.</p>	<p>Best practice is to have BREEAM assessment on board very early on or as part of the design team from the start to ensure maximum points.</p>
3.4	<p>Question raised regarding the legality of a planning condition requiring an applicant to exceed the minimum standards of the Building Regulations in respect of carbon emissions by 25% based on parameters produced by a none governmental organisation (NGO).</p>	<p>The NGO mentioned here is the Energy Savings Trust an organisation supported and funded by government and the leading energy efficiency organisation in the UK. This requirements applies to smaller scale non-residential development and is similar to that required from the Code for Sustainable Homes. The use of this requirement ensures similar standards for all development.</p>
3.5	<p>It would mean far more if the planning policy required applicants to have undertaken preliminary discussions with either LABC or private certifier building control organisation, supported by part L design philosophies and supporting SBEM or SAP calculations</p>	<p>Yes, that's what some applicants are already doing, or we condition the submission of such documentation before construction starts.</p>

	and have that documentation deposited as part of a planning application.	
4	<i>National Policy Implications</i>	
4.1	Is meeting the 'Very Good' BREEAM standard realistic. Perhaps this should be tested before becoming a final SPG.	Agree that standards should be realistic which is why the 'Very Good' standard was selected rather than the 'Excellent'. The IPS is seen as a test in itself for such requirements which will eventually be introduced through the Local Development Framework (LDF).
4.2	Planning authorities should focus on the overall objectives of carbon reduction and the details of how to deliver this objective. Additionally, the Code for Sustainable Homes should be used as a single national standard.	Carbon reduction is one of the main focuses of the government and will be for the City of York's climate change strategy but it is a difficult concept to explain to the construction industry. Whilst there are some notable exceptions it is still the rule that many of the industry thinks of carbon emissions only in terms of energy use. It is clearly much wider than that. To concentrate purely on carbon reductions may mean other resource issues are missed. The Code for Sustainable Homes Level 2 will now be the target for all new residential development.
4.3	More attention should be given to existing housing stock, rather than consistently opting for the easy option of further restrictions on new building. Effort should be focused on changing public perception of the issues if this is not to be a very costly mistake	Agree that adapting existing stock is a huge task and a most important one. The IPS once drafted will be giving advice on conversions and already gives advice to those wishing to build a domestic extension. Section 5 and 6 cover the development of existing dwelling units. We agree that public perceptions on sustainability should be a key focus. One of the ways the Council is hoping to tackle this is through the development of a Climate Change Strategy.
4.4	With much LPA guidance there is a danger that we re-produce national guidance and householders may just skim read thinking they know what is what. Emphasis on what aspects of sustainability are unique to or a priority within York and why, should be made.	In order for developers to build within York they will need to meet the standards set out within the IPS and therefore reading the IPS is a must. We agree that the IPS needs to be York specific which is why some of the examples are given, however the applicant still needs to explain their proposal in terms of BREEAM and / or the Code for Sustainable Homes etc.
4.5	Links to national and local planning policy would be helpful	The guidance is based on Local Plan Policy GP4a which can be found

	alongside each goal.	in figure 1 of the document. Links to National guidance have now been added to Appendix 2. It is thought that reference throughout the document would increase planning 'jargon' and make the chapters longer and less user-friendly.
4.6	<p>In order to recognise current standards, it would be useful if the document were amended to recognise the Code for Sustainable Homes.</p> <p>Additionally, it would be useful if the SPG detailed how the minimum standards for on-site renewable energy generation will be monitored and enforced.</p>	<p>Agree. The IPS will now recognise the code for sustainable homes as requested by many consultees. A full explanation of why this has been incorporated within the Committee report. Appendix 4 has also been created to give an overview of the Code for Sustainable Homes.</p> <p>The means of monitoring of renewable energy installations is currently being investigated and it is hoped that the planning application software will be able to accommodate this additional monitoring element. However this will still only cover those installations that that require planning consent.</p>
4.7	In light of the immanent Planning White Paper we suggest that 6.1 should read "...If a domestic extension either as a permitted development or requiring planning permission is being proposed..."	As this paper is still out for consultation, it is not certain that this will be approved, therefore changing to the wording is not thought to be needed at this stage. Therefore no change to wording.
5	General Policy Queries	
5.1	Requirements under the BREEAM sections that <i>reduce demand</i> should be given priority and prominence. There is a tendency in the building industry and in government to concentrate on technological solutions rather than reduction on demand via high levels of insulation and air tightness.	Agree that reducing demand is a priority however technological advances are still required due to non renewable energy not being an ever lasting resource. Technologies have a lot to offer therefore should be a key element of the IPS, however the reduction of demand has now been emphasised within the IPS.
5.2	GP4a states commercial and residential development will be required to be accompanied by a sustainability statement but Para 3.1 states that all developments are included in the requirement.	The IPS now applies to commercial and residential development in parallel with GP4a, As the policy within the Local Plan has been agreed for DC purposes, this can not be changed. However all developments will be required to submit a sustainability statement through the development of the LDF.

<p>5.3</p>	<p>Need to recognise that sustainability in design is a social and economic aim, and runs comfortably alongside protecting the physical and natural environment. This approach is evidenced and included within the Regional Housing Strategy for Yorkshire and Humberside 2005 – 2021.</p> <p>Parking ratios may be reduced in an ‘unevidenced’ belief that this will force people to walk and use public transport. Cycle paths need to be more carefully designed.</p>	<p>It is viewed that the social implications of development including safety is well covered in existing work as described by the respondent. The IPS is an interim document which addresses sustainable construction in particular. These issues including parking ratios will be addressed as part of the new LDF system,</p>					
<p>5.4</p>	<p>The three categories of large, small scale developments and domestic extensions is wrong. The requirement for householders to commission and submit a sustainability statement when they wish to build small extensions to their homes is unrealistic and over complicated for the homeowners, as well as time consuming for officers. Who will check and sign-off the completed domestic extension?</p>	<p>The document is split into six sections to make it easier to use the document. To aid understanding of the use of the document we are now going to add a flow diagram at the beginning to guide people to the specific page needed. It is essential that householders submit a sustainability statement as these issues need to be visible within the public arena and at an early stage. It is however agreed that the domestic extensions section of the document should be improved. This will now be replaced with a questionnaire.</p>					
<p>5.5</p>	<p>The definition of large scale developments is too small, should it not be 15 dwellings or more similar to the size of developments to which affordable housing is applicable. Similarly, developments up to 15 units, could be classed as small scale.</p>	<p>The threshold of 5 or more dwellings is based on research undertaken prior to consultation on this document. The information was taken by looking at the average size of housing development planning applications which come through each year. The threshold chosen is due to the nature of development coming forward in York; while there are some notable large developments, the majority of the planning applications coming through the council are of a smaller nature. The threshold was chosen to acquire the most effective delivery of sustainable. The table below shows the number of residential planning permissions being granted between 2003 – 2007:</p> <table border="1" data-bbox="1137 1278 2018 1316"> <thead> <tr> <th data-bbox="1137 1278 1431 1316">Year</th> <th data-bbox="1431 1278 1724 1316">Applications</th> <th data-bbox="1724 1278 2018 1316">Applications</th> </tr> </thead> </table>			Year	Applications	Applications
Year	Applications	Applications					

			granted for 10 or more dwellings	granted for 5 or more dwellings
		2003/2004	16	30
		2004/2005	17	35
		2005/2006	18	30
		2006/2007	10	21
		Total	61	116
5.6	Could there be a separate category for non-domestic development, commercial office schemes, factories etc, an area where government encourage companies with incentives or penalties to reduce their energy usage and receive tax breaks. The potential to incorporate larger sustainable technologies are greater.	Commercial development has separate sections within the IPS. The information provided applies equally to all areas of development. The IPS clearly states that commercial development is split into large and small scale categories.		
5.7	Where city centre developments and conversions are involved e.g. Warehouses, etc, the opportunity to provide renewable energy can be extremely difficult. I would suggest a form of commuted payment to be appropriate. This would allow the Council to spend these funds on other sustainable initiatives.	The City of York Council need to consider commuted sum approach once the status of the policy and IPS are certain i.e. in the LDF. Wycombe District Council are considering this approach and it is soon to be tested by LDF inquiry. Therefore it may be a case of 'watch this space' to see if this approach works. If it is successful then it would be recommended that it be used when developing an SPD.		
5.8	Many villages have had their village design statement (VDS) adopted as SPGs. Many of the paragraphs in the draft SPG reflect the guidance contained in a VDS. The requirements of a VDS should take precedent in interpretation of guidance policies. Paragraph 3.1 indicates that an applicant should consult with CYC. Where there is a VDS, such interests of an applicant would also be best served if the Parish Council were to be consulted, as local knowledge is important.	This IPS overlooks the whole of development, and different phases of development within the City. It is agreed that the guidance may re-iterate what is said in a VDS; however the IPS needs to contain a certain level of guidance in terms of design. It could be suggested that a reference be made to review the VDS to see if there are additional design requirements where this is not already covered by BREEAM or the Code for Sustainable Homes. Therefore new text to go in the design section of Small scale non-residential chapter. New text in paragraphs 3.6, to read: "It is also recommended that any associated Village		

	No reference to requirement for Design & Access Statement – much of the content would be duplicated. (Page 7 Para 3.1)	<p>Design Statements and Conservation Area documents are referred to at this stage”.</p> <p>The Parish Councils are currently consulted on applications within their boundary or application which may have cross boundary issues. Therefore it is likely that the parish Council will be consulted on an sustainable design and construction issues within their area.</p> <p>There is a possibility that information may be repeated within a design and access statement, however the information required in a sustainability statement is very much geared towards the key issues within figure 1 (policy GP4a). Therefore applicants will still be required to submit both a Design and Access Statement and a Sustainability Statement.</p>
5.9	Paragraph 3.1 indicates that an applicant should consult with CYC. Where there is a VDS, such interests of an applicant would also be best served if the Parish Council were to be consulted, as local knowledge is important.	The Parish Council would be consulted at the planning application stage regardless, therefore it is deemed unnecessary to further consult parish councils more than once.
5.10	Would have expected the BREEAM rating to be by negotiation as it may be dependant on the extent of the works and age of the building.	The expectation is for BREEAM ‘very good’ for all new commercial developments and Code Level 2 for residential. If there are special circumstances present i.e. due to the age of the building etc, then it is up to the applicant to prove why its not possible.
5.11	Construction is not all that the points loaded system that is BREEAM, covers. There are significant sections on management of the building or development post completion and fitting installations (window blinds for example), which are likely to be complete unknowns at planning application stage.	It is for these reasons that the Government have included Post Construction Assessments in the Code for Sustainable Homes and why the current draft of the IPS also includes this requirement for all development that needs BREEAM assessments.
5.12	It would be helpful if the SPG explain slightly more explicitly how the requirements relate to other considerations which the Council	The requirements in the IPS will be a material consideration and this is stated within the introduction. Perhaps an additional sentence stating

	will be using to assess the acceptability of development proposals, i.e. listed buildings, Conservation Areas etc.	that this guidance reflects national and regional guidance should also be added. Sentence within introduction paragraph 1.2 states: “The information stated within this document reflects national and regional guidance and therefore should be met. It is for the applicant to explain how they will meet the requirements and if this is not possible to justify why not, to the satisfaction of the Local Planning Authority (LPA).”
5.13	A number of sections in the SPG indicate that a particular aspect should achieve a BREEAM rating of very good. A2 for example states "Minimum standard (Accessibility): achieve BREEAM rating of at least very good in terms of Transport". This misinterprets the application of BREEAM which give an overall rating for a project, not a rating for individual aspects.	The original intention was to ensure that the ‘very good’ standards are met across the board rather than, for example achieving very good by a development excelling in one area. However we agree that the statements are mis-leading and therefore have been removed. Appendix 1 has now been amended to incorporate additional BREEAM information.
5.14	Parts of the SPG suggest solutions to meeting the various criteria. Some prompts may be helpful, but on whole we should strive for the best solutions for each project and be careful not to stifle innovation.	The examples offer a prompt and ideas and should not be seen as prescriptive. The examples clearly state; “For Example” and it is not thought that they will discourage innovative solutions.
5.15	Section A1 (4.2) requires that large-scale developments should achieve an overall BREEAM standard rating of “very good.” This is fundamentally misguided for the following reasons:- 1. The environmental performance of buildings is a matter primarily for the Government through Building Regulations which planning controls should not seek to duplicate. Where planning authorities wish to require higher levels of building performance this should be set and justified in a development plan document. 2. The Council has given no justification for its requirements	The reality of sustainable design and construction is that traditional relationships between planning and building control are changing. BREEAM is a route which other LPA are taking, which has not yet been challenged. Sustainable design and construction is not just about issues such as energy efficiency and CO2 emissions, dealt with by building control, but is much wider and the role of planning as set out in PPS 1 is to promote sustainable development. It is agreed that we need to state why we have decided to use BREEAM. This information can be found in Appendix 1. “The BREEAM rating system is a nationally recognised

	<p>that all developments should achieve the BREEAM standard rating of “very good.” In particular there is no evidence that the Council has addressed any of the issues set out in paragraphs 31 and 32 of the Draft PPS, especially the impact on the viability of marginal brownfield sites and the need to maintain the supply and pace of housing development in line with RSS objectives.</p> <p>3. The Draft SPG should not make reference to the BREEAM standard as it is now outdated. If there is justification for the Council to require a specific environmental performance from new development (which has not been demonstrated), it should be by reference to the DCLG Code for Sustainable Homes which was issued in December 2006.</p>	<p>assessment method to reduce the environmental impact of buildings and development. It is a standardised format developed by the Building Research Establishment over many years. It is particularly useful as it seeks to incorporate sustainable design and construction elements into a proposal at the earliest stage thus helping to make them more cost effective. Development; what is built and how it is built contributes to nearly 50% of the countries carbon dioxide emissions (the main green house gas which is contributing to global warming and climate change). It is the responsibility to all individuals and organisations to seek to reduce their impact on the environment, using the BREEAM standard is one way to ensure new development is doing this.”</p> <p>BREEAM is not outdated for all non residential development and conversion/refurbishment and the BRE update the assessment methodology regularly. For new build residential development however, the Code for Sustainable Homes has been introduced by the government and the IPS has been amended to reflect this</p>
5.16	<p>The Assembly is encouraged to see that the approach that has been taken clearly reflects the current Regional Spatial Strategy (December 2004) and draft Regional Spatial Strategy (December 2005).</p>	<p>Noted.</p>
5.17	<p>Local Authorities are required by PPS9 (Biodiversity and Geological Conservation) to maintain networks of natural habitats by ‘avoiding or repairing the fragmentation and isolation of habitat’ undertaken ‘as part of a wider strategy for the protection and extension of open space and access routes.’ PPG17 (Open</p>	<p>Reference to PPS9 and PPG17 have now been referred to within Appendix 2.</p>

	Space, Sport and Recreation) requires policies to be developed based on standards for provision of open spaces, including accessible natural green space.	
5.18	The threshold for large scale developments is far too low. It should be at least 15 houses or more, the same as the affordable housing threshold.	Due to the IPS now referring to the Code for Sustainable Homes, all new residential development will be required to meet code level 2. This is the equivalent to BREEAM very good. For explanation on how the thresholds were chosen see point 5.5 in this schedule of comments.
5.19	For small scale developments - there is far too much expected of applicants. There could be a little scheme of just one house yet a dissertation is required on matters as ridiculous as “in what way will the construction of the development provide any training for local people”, is your typical small house builder now expected to run training courses for unskilled employed individuals who happen to live near the house that he is trying to build in a fiercely competitive market?	If it is not reasonable for a development to meet these standards then it is up to the applicant to demonstrate that this is the case. However, the IPS asks that developers consider all of the issues.
5.20	There should be no requirements at all for a sustainability statement if undertaking a domestic extension. It is ridiculous to expect somebody who wishes to simply alter or extend their home to have to produce this paperwork.	The current local plan policy GP4a requires all residential planning applications to be supported by a sustainability statement, and this policy has been approved by members for DC purposes. However, we do agree that it would be unreasonable to ask people proposing a domestic extension to meet minimum standards. Therefore, this section is merely asking people to consider the issues of sustainability.
5.21	The document is generally well aligned to the Regional Economic Strategy (RES), we specifically welcome the references to the need for; <ul style="list-style-type: none"> - ‘development to minimise the use of renewable resources’. This complements the Objective 5 (cii) of the RES, which seeks to promote ‘energy security and reduce fossil fuel dependence by more energy efficient and clean renewable energy generation’.	Noted.

	- major developments to achieve minimum BREEAM Accessibility standard of 'very good'. This complements objective 6 (cii) of the RES, which seeks to 'tackle access to transport'.	
5.22	Appendix 1 – why is it not possible to include a typical BREEAM assessment matrix as a guide to applicants? Similarly for Ecohomes standards?	A BREEAM assessment is undertaken by an assessor working on behalf of BRE. The assessment is a private assessment tool which is funded by a payment from the developer. We are unable therefore to give an assessment matrix as an example. It should be noted however than Council officer will receive BREEAM training before the IPS is approved in order to aid the planning application process.
5.23	This section should state which codes (i.e. BREEAM, Ecohomes, code for sustainable homes) is expected under each category).	Agree that clarity is needed within the document. The format of the document will be changed to incorporate the code for sustainable homes. Therefore, with the aid of the flow diagram at the beginning of the document, it should be much easier to use.
6	General Comments	
6.1	Very necessary and high standards required. Clearly spelt out, comprehensive and thorough. Overall the guidance is excellent – good to see so many aspects of sustainability covered. Pleased to see the importance of high quality design recognised by this SPG. We welcome the guidelines for development to respect or enhance the character of the surrounding area and the promotion of sustainable design, construction techniques, the use of renewable energy sources, and the provision of recycling facilities.	Noted.
6.2	Nothing mentioned about rivers Ouse and Foss. There are missed opportunities here i.e. river transport, and the replacement of a pump at City Mills Locks to replace lost water on entry to Foss section. York has been slow and lacking in vision, although organisations such as 'Foss Society' have tried	Agree that waterways should be mentioned, however the IPS is not a document to discuss missed opportunities where the river is concerned. It should however be mentioned that the river can provide a habitat for many species. Paragraph 3.15 (bullet point 4) of section 3 within the small scale commercial section should now state: "In what way does

	to support Council. There is an idea of having a Marina for boating which should be considered. Need for investment in the river to supply income and support flooding schemes in the future, (see cuttings from the evening standard and waterways publication).	the proposal include the retention or provision of natural areas including hedge rows, verges and river banks?” The waterways strategy produced by the Transport Planning Unit aims to ensure that the use of waterways in York for passenger transport and freight transport is developed and promoted as appropriate. This can be achieved by supporting proposals, considering schemes when sites become available, working with the freight quality partnership, investigating possible funding and protecting wharf facilities in the city for future use.
6.3	Presume that we will not lose sight of the fact that some people will still need access by car. It would concern me if we ended up creating developments that tried to design out cars, and then by doing so would create problems i.e. parking on verges	The Council recognises that the car is an essential method of transport for some people, however the use of more sustainable forms of transport is highly encouraged and is top on the list of the Council's priorities due to increasing congestion and pollution problems present within the City. Therefore we are not losing sight that people will still need to travel by the private car, but we will encourage the use of alternatives methods via this guidance.
6.4	Felt that the breakfast seminar did not address the contents of the SPG.	The breakfast seminar was not solely to talk about the IPS but to look at sustainable development and how it is being tackled in York as a whole.
6.5	www.yorkfootprint.org link does not work. (Page 5 Para 2.2)	The link will be updated to: www.york.gov.uk/environment/Sustainability/Agenda21/Ecological footprint/
6.6	More advice required on conversion work and the benefits compared with new build.	New Sections (5 and 6) have been added to provide guidance on the development of existing residential dwelling units. Paragraphs have also been added to the large and small-scale commercial sections. In brief, the additional guidance requires that redevelopment 5 or more dwellings meet the BREEAM EcoHomes standard and the locally set minimum standards, and that redevelopments of 4 or less dwellings are

		required to meet the minimum standards.
6.7	Askham Bar College is pursuing a development policy and is committed to the application of sustainable design and construction criteria in the development of the campus.	Noted.
6.8	Relationships between sustainable development and economic prosperity depend on an established local supply structure of 'green' materials and experienced manpower. Faced with these realities more sustainable development can be achieved by: <ul style="list-style-type: none"> a) Importing the necessary materials, many from abroad, and constructing types of buildings illustrated in the SPG, b) Using what we already have more efficiently, and deploying existing materials and manpower in new ways, more in line with category above (within the letter). This approach is not illustrated in the SPG. 	Point 6.6 of this schedule of comments outlines where new sections have been added in relation to the reuse of existing buildings.
6.9	The Council is charged with safeguarding a national collection of 600 year old sustainable oak buildings. Their longevity has proved their 'sustainability'. Lessons for the future can be gained from rediscovery of the building practices of former, less industrialised ages.	Agree lessons should be learnt. Point 6.6 of this schedule of comments outlines where new sections have been added in relation to the reuse of existing buildings.
6.10	Recommend that all website links are checked and are correct.	Agree that all website links will be checked and updated if necessary.
6.11	It should be noted that SUD's now means Sustainable Drainage Systems rather than Sustainable Urban Drainage Systems. This needs to be changes throughout the document.	Agree that this should be amended, although there is no significant difference in the definition of these terms.
6.12	Most designers now expect that there is an absolute need to test even the most basic designs against such algorithmic programmes as the BRE SBEM (simplified building energy model) calculations, otherwise it is probable to obtain planning	Noted.

	consent for a design that will be prohibited by the Building Regulations.	
6.13	Air quality, noise, vibration, odour, dust, smoke, lighting and contamination of land, most of these areas are relevant to the design and construction of sites. I note that this document is an overarching one and is not designed to cover all the areas of concern in detail. I assume the specific areas will be addressed in separate supplementary planning guidance documents.	Agree, that there are many different issues of sustainability and it is difficult to cover all of the issues in detail. The IPS does touch on all of the issues mentioned, and yes some of them are being addressed in more detail through future SPDs. However, all of these issues will be addressed in more detail through the production of the LDF.
6.14	Natural England has recently commented on City of York Council Nestle South Draft Development Brief and was supportive of many of the key objectives for the redevelopment of this area. In particular the development brief focused on green infrastructure linkages and accessible urban greenspace. We consider that this should be emphasised more within this Supplementary Planning Guidance, particularly in the Section A: Large Scale Developments.	In terms of the residential developments section and the large scale developments section these will be dealt with by The Sustainable Code for Homes, and BREEAM respectively. Therefore it may be more appropriate to add a sentence within the small scale development section. New bullet point in section 3 paragraph 3.15 to read: “How does the proposal incorporate the linkages between green spaces and accessible urban greenspaces”?
6.15	Natural England is supportive of the scope and detail within Bradford City Council’s Sustainable Design Guide SPD, which was adopted on 28/02/06. Below is a link to the document, which may be a useful reference. Natural England are supportive of this document as it meets their sustainability aims and policy objectives in relation to climate change: http://www.bradford.gov.uk/NR/rdonlyres/BAD3E13E-2CC7-4C67-8930-341222BE78BA/0/SustainableDesignGuide.pdf	Having read Bradford City Council’s Sustainable Design Guide SPD, we agree that this is a good example in terms of content of an SPD. However the IPS is written around policy GP4a and therefore is restricted in its content. It may however be appropriate to use the SPD as a good practice example when producing the City of York SPD once the Core Strategy has been adopted.
6.16	Natural England and its partners have undertaken various research on design and local vernacular, which they recommend is used in the preparation of the Design Guide. For our publication ‘Towards a New Vernacular’ please see link below: http://www.countryside.gov.uk/Images/NVReport%2014_tcm2-	Agree that a reference should be included within the document. It may be best to add the reference within the Appendix 2 (further advice). A more up to date link which may be more appropriate is: www.countryside.gov.uk/LAR/Landscape/PP/New_Vernacular.asp

	<p>20906.pdf</p> <p>The 'New Vernacular' approach advocates the development of new buildings in the countryside that re-connect their design and construction with the environment. It promotes innovative, sustainable, high-quality buildings that enhance local character and respect their context. The key principles of sustainable development are identified as Energy, Materials, Flexibility, Quality, Environment and Community.</p>	
<p>6.17</p>	<p>The SPG is far too onerous. It makes ridiculous and unreasonable demands upon applicants. Has anyone at the Council worked out how many trees will need to be felled just to provide the paper for all this additional red tape?</p>	<p>Sustainability is an issue which is facing all Local Authorities now. The IPS is tackling sustainability issues through the planning process, and by comparison with other Local Authorities is taking the same route. Therefore it is argued that the demands are realistic. Unfortunately Council documentation has to be made available in paper form for those who do not have access to a PC. However, in an attempt to reduce paper use, awareness raising of the consultation was done through email with directions to the document via a website link. The Council are keen though to use sustainable forms of printing and are looking into such measures for future LDF documents.</p>
<p>6.18</p>	<p>Policies on the minimisation of waste before (in design of) development should be elaborated so as to provide more guidance and certainty for developers. The SPG should also note that use of secondary and recycled minerals in development should be encouraged.</p>	<p>The minimisation of all types of waste through good design is a complex issue, and not something that this brief document could elaborate on. However links will be provided to guide applicants. It should also be noted that BREEAM awards points for the use of secondary and recycled materials. The demolition protocol also deals with this.</p>
<p>6.19</p>	<p>(4.4), (4.7), (4.9) etc – when satisfying the various criteria applicants should not be asked questions to consider, but be required to show how the criteria are being satisfied e.g. – “A2.1 Walking: show how the proposal makes priority provision for the</p>	<p>Agree that questions should require applicant to “do” rather than to “consider”. The questions in Section 3 require explanations rather than singular answers, wherever possible. However, for the domestic extensions section there are no minimum standards, and therefore no</p>

	needs of pedestrians”. Requirements should be more specific e.g. (4.2) “...encouraged to...” should be replaced by “expected to...” As the SPG is non-statutory any submissions will be subject to negotiation, and the higher the expected threshold from which negotiation starts, the better.	set requirements. The most we can ask applicants to do at this stage is to consider the sustainability aspects. This section is mainly to raise awareness and ask people to think about these issues.
6.20	The phrase (1.2) “...low or positive environmental impact...” should be redrafted for clarity – this is a confusing concept, particularly for those not familiar with the terminology. We suggest “...that has favorable environmental impact...”.	Agree that the wording should be changed to reduce confusion. Paragraph 1.2 to now read: “It is the Council’s objective to achieve development that has a favourable environmental impact” .
6.21	(3.2) ““dwellings” should read either “...flats and/or houses/...” or “...dwelling units...” for clarity. Areas should specify net or gross for clarity.	For clarity where reference is made to dwellings, this has been replaced with dwelling units. Throughout the document, residential development shall be referred to as dwelling units.
6.22	4.24 omit all references to possible funding – programmes are constantly changing (see above).	Disagree that references to funding should be removed. If and when a website changes, there is always a link provided to new more appropriate website.
6.23	Appendix 3: 1 - Birch Park – why single this out, make it a general point. No mention of car club/car share. Appendix 3: 2 - energy rating now overtaken by legislation? Omit. Appendix 3: 5 – omit all reference to possible funding as programmes are constantly changing	Within Appendix 3: Point 1 now states “Some housing developments now provide dwellings with either 6 months free bus travel or a new bicycle to encourage sustainable travel. One example where this has happened in York is the Birch Park Housing development” . Reference is now made to the car club. New point 6 to state: “Developers should consider travel initiatives such as car clubs, where people are able to share the cost and running of a car. One example of where this is currently being done for employees at the City of York Council. For more information visit:

		<p><u>www.york.gov.uk/transport/Public transport/car club</u></p> <p>Point 2 The legislation for the energy rating certificates has not yet been enacted for all houses so this should be kept in to cover the current gap.</p> <p>Point 5 This funding stream is still in place and if it changes in the future the link will still direct people to the correct site and links are always provided when they change so reference should be retained.</p> <p>4 new best practice examples have also been added.</p>
6.24	<p>Failure to emphasise the importance of geo/bio-diversity issues, and to refer to the (outdated) bio-diversity audit and landscape appraisal plans. The conservation and re-use of excavated soil as a resource, the implications of site soil compaction, and the management of hedges and verges is not covered. Can a new BAP and LAP be prepared before the final SPG is incorporated into the LDF?</p>	<p>A revised BAP is due to be completed in early 2008 so this will be available to refer to before the IPS becomes SPD and incorporated into the LDF, however, until then it is agreed that reference should be made to the existing biodiversity assessment and landscape appraisal. New text within Appendix 3 under the landscape and wildlife section to read: “Copies of the Council’s existing Biodiversity assessment and landscape management plan are available form the Council for reference. To obtain a copy, please call 01904 551671.</p> <p>Soil compaction and erosion have now been introduced within the IPS. See 6.64 of this schedule of comments for more information.</p>
6.25	<p>Conservation advice – there is no reference to this. This is a serious omission considering the number of listed buildings, ancient monuments and conservation areas in York. There is concern that BREEAM requirements, for example may not be appropriate when listed buildings or buildings in conservation areas generally are considered.</p>	<p>The IPS is not meant to provide conservation advice as there are other CYC documents to do this. BREEAM does consider listed buildings and this is one of the main reasons the Bespoke assessment was introduced. It is up to the applicant to prove to the Local Planning Authority that BREEAM ‘Very Good’ is not possible due to listings etc.</p>
	<p>General Comments – Document Layout/Content in general</p>	

6.26	States that BREEAM assessment is not required for small scale developments. (Page 21 Para 5.1) Yet page 31 , Para 6.1 states that “proposals for domestic extensions will not be expected to undertake a BREEAM assessment as required for large and small scale developments”	This is a typo, a BREEAM assessment is only required for large scale developments. There are minimum requirements for small scale developments though.
6.27	There are conflicts in your draft supplementary advice with other legislation and planning guidance on preserving the distinctive historic character of York. The buildings illustrated in your draft advice, for example are now common in Europe as a whole and have no local distinguishing features. Other LPA’s learnt not to include illustrative material in guidance because they inevitably imply endorsement of a particular approach or design solution. This tends to perpetuate sameness rather than distinctiveness. It may be best to remove all photographs from the SPG.	The pictures have now been replaced with graphic illustrations which have been drawn by an architecture student currently on work experience at the City of York Council. As you will see a lot of thought has been put into the message which the drawing is giving. We have found that it is not always easy to get the message across through a photograph.
6.28	Agree with everything in your draft SPG. We feel that each point should have one sentence and a box to tick. Too much reading is boring! We feel it would be beneficial to the applicant to think of each of these points before drawings start.	Agree that reading should be kept to a minimum, however the IPS is also an instructive document as many applicants are not considering or know they should be considering these issues at the moment. The document will be simplified.
6.29	<p>Contents page – A Large scale development and B Small scale development - under resources should read (recycled Materials, Water usage, <u>Soils/Drainage</u> Waste and Landfill).</p> <p>Figure 1: Policy GP4a (Sustainability) point F), replace land with the word soils. And point G), after the word conserve add geodiversity, and biodiversity for sentence to read “conserve geodiversity, biodiversity and enhance natural areas and landscape features,…”</p>	<p>There is little point in doing this as this change derives from the change in policy, as the Local Plan and its policies have been approved for DC purposes.</p> <p>We can not change the text within policy GP4a. The Local Plan has been approved for Development Control purposes. Therefore any changes would need to be approved by Members.</p>
6.30	Should the house extensions advice be in a separate note? There is possible scope to give more specific guidance with	Agree. As we are not requiring domestic extensions to meet minimum standards or to undertake a BREEAM assessment, the guidance set out

	diagrams for extensions that would be very useful to householders (e.g. design of bike and bin stores, orientation to sun, solar panels, greening parking spaces, wildlife, drainage etc) whilst still keeping the document short.	should be as simple as possible. Therefore a questionnaire to fill in has now been incorporated instead of text and questions. This will be available separately for DC to send out with applications.
6.31	Where possible the document should be simplified as it is very comprehensive and there was a feel that it could be difficult to meet all the criteria. In particular, it was thought that it would be difficult to get approval for large scale developments. In turn, this might encourage applicants to split large applications into small packages in order to get around the need for rigid adherence to the criteria for large scale developments.	<p>Agree that the document should be made more user friendly, however some issues of sustainability are inevitably complex. If the development was split, it could be phased which is what normally happens for large scale developments. The Council would discuss these issues at the pre-application stage. A good example of this is the York University campus extension.</p> <p>Add paragraph 2.3 to large scale commercial development proposals and paragraph 4.3 residential developments which states that: “If the proposal is to be built in phases then the LPA would expect a sustainability statement with the initial or outline application setting out principles, aims and commitments to achieve the requirements for the whole of the development. These requirements should be conditioned at the outline stage as reserved matters. As each phase comes forward for approval, a detailed sustainability statement would be required to ensure that the most up to date relevant standards are met.”</p>
6.32	Whilst not part of the draft SPG, Policy GP4a should be reviewed along with the introduction of the SPG. For example, although GP4a deals mostly in aspirational and general terms item h) indicates particular technologies to consider for renewables. Technology moves on and the policy should not leave itself open to being left behind: the way the policy is met should be left for designers and developers to research the best and latest options for their project	Reviewing the policy at this stage would have detrimental effect on the IPS. The IPS should be seen as an interim measure until more specific sustainability and renewable energy policies can be developed through the creation of the Development Control Development Plan Document.
6.33	The SPG needs to inspire and encourage as well as to lay down	New graphics have been added.

	the ground rules, so the best photographic and graphic examples should be included from exemplar projects nationally and internationally.	
6.34	If there must be an SPG in relation to sustainability issues it must be reduced from that in the draft to be far more realistic and user friendly. The list of demands on applicants needs to be drastically reduced or we might as well pack up and stop building all together.	Agree that the document will become more user friendly including language and presentation. The IPS addresses current international, national and regional thinking on sustainable design and construction issues. The fact that the Sustainable Code for Homes was introduced shortly after gives support to the expectations upon developers to meet the IPS's demands.
6.35	York Council documents waste a great deal of paper if they are only written on one side of the paper with a blank sheet on the other. Remedy this by using both sides and you will save a lot of trees and also save money.	The IPS was published using both sides of paper. However, if consultees downloaded and printed the internet version, then both sides would not have been printed on. All final copies will be published on both sides.
	General Comments - Accessibility	
6.36	A2 Accessibility. 400m from a public transport system is too prohibitive in rural areas, if a figure is needed it should be double this figure. Also I question the move towards a more comformative policy, it is not more attractive to have rural schemes with public access i.e. right to roam over areas of woodland, in a way that may mitigate such a demand for being 400m from a bus stop?	The 400m target derives from the findings of that Local Transport Plan 2 (LTP2). Applicants should justify why this target cannot be met.
6.37	A2 (page 10), the development should ensure that cycling (and walking) are the natural choices for short journeys. This means building convenient cycle storage into the dwellings – secure storage right next to each front door. It could also mean making car parking a little more difficult to access. As soon as a resident comes out of their house it should be obvious that walking or cycling are the easiest, most natural options and the design needs to ensure this. (This is also relevant to small scale	Whilst these are comments are useful cycling storage provision is currently covered within the Local Plan under the transport chapter. Issues such as cycle provision will be covered within the LDF through other DPDs.

	developments).	
6.38	Paragraph 4.5 should be deleted. If the Council wishes to rely on the BREEAM very good rating as the measure for accessibility, it should do so for all aspects of accessibility and not seek to impose the higher local plan standard for cycling which has not been the subject of any independent scrutiny.	Agree that it is unreasonable to ask the applicant to exceed BREEAM in this instance. Therefore this statement should be removed.
6.39	The Assembly is encouraged by Policy A2 Accessibility which encourages improved accessibility of sites and would also like to highlight that reference should be given to the accessibility criteria in both the current and draft RSS (Table 7.1 and 7.2 of current RSS and Table 16.8 and 16.9 of draft RSS) Must be in conformity.	Reference to the RSS has now been made within Appendix 2.
6.40	Supportive of the emphasis in the SPG on more sustainable modes of transport e.g. walking routes, cycling routes and public transport. Walking and cycling provision within new developments also brings potential health benefits for urban communities. To support this we would wish to see reference to City of York Council's Rights of Way Improvement Plan.	Agree that reference should be made to the Rights of Way improvement plan. Within Appendix 2 (further advice) new text to state: “A copy of the Council Rights of Way Improvement Plan can be obtained by calling 01904 551481, or by email rightsofway@york.gov.uk”
	General Comments – Community Involvement and Local Economy	
6.41	Is informing local people a specific requirement in planning applications? (Page 11 Para 4.7 & Page 23 Para 5.5)	The Council is committed to providing a high quality and responsive planning service that meets the needs of the community. The principles guiding consultation with the community take account of those set out in the Code of practice on consultation in 'The York Compact'. The Council uses 9 principles to guide public involvement in planning matters. These principals are set out within the statement of community involvement (SCI) which can views at: www.york.gov.uk/environment/Planning/Local_development_framework/

		Statement of comm involve
6.42	A3.1 add open spaces to sentence – new sentence to read “How are allotments / permaculture / gardens / open spaces included in urban housing developments?”	Questions within the large scale development section have now been removed to simplify the document and to ensure that only BREEAM guidance is followed.
6.43	Under paragraph A3.2 Local Economy. The third bullet point relates to opportunities for training and skills development. This could be expanded to ask about the provision of funding for training and skills and using local training providers.	Questions within the large scale development section have now been removed to simplify the document and to ensure that only BREEAM guidance is followed. In terms of Residential Development, these issues are covered by the Code for Sustainable Homes
6.44	A3.1 define “permaculture” or redraft.	Permaculture refers to is the design of sustainable human habitats. It is based on the observation of natural systems and uses ecological principles to increase diversity and productivity of local human ecosystems. Permaculture designs incorporate food, energy, and shelter for people and animals while linking the needs and outputs of each element of the system.
6.45	Appendix 2: Local economy – why no reference to the Regional Economic Strategy and analyses produced by CYC?	Add reference of strategy to Appendix 2. New text to read: “ A copy of the Regional Economic Strategy can be downloaded at www.yorkshire-forward.com/www/view.asp?content_id=385&parent_id=28 ”
	General Comments – Design	
6.46	The draft includes design d) and states that high quality is required with the aim of conserving and enhancing the local character, heritage and distinctiveness of the City, but there is no identification of how this relates to the normal design requirements implemented via PPS1 and PPG15 and the Council’s Design and Conservation section. The same can be said for g) on conservation and enhancement of natural areas and landscape features.	The requirements set out within GP4a are not subject to change as the Local Plan has now been approved for DC purposes. However it is agreed that there should be more reference made to national guidance and in particular PPS1 and PPG15. These have now been referenced within Appendix 2 under the title National Guidance.

6.47	A4– Design under paragraph 4.9 (and B4 5.9) add bullet-point to read “How does the design have a special relationship between plans and buildings they benefit?”	Questions within the large scale development section have now been removed to simplify the document and to ensure that only BREEAM guidance is followed.
6.48	6.6 (fourth bullet-point) add ‘geodiversity’, sentence to read: “What way will the design improve on <u>geodiversity</u> /biodiversity measures?...”	Agree that additional question should be added under point 5.7. New question to state: “ What way will the design improve on geodiversity (rocks, fossils, minerals etc) and biodiversity (living organisms) measures? ”
6.49	<p>Under issues of design, it would be helpful to explain how the bullet-points relate to one another and whether or not there are likely to be circumstances when one aspect might need to take precedent over the others. For example, if one is to work from the basis of preserving the character of the historic city, then it might be necessary to use window sizes which are appropriate for their context rather than those which achieve the best thermal gain return.</p> <p>Given the embodied energy within existing buildings coupled with the energy which would be used in the demolition of those building and the removal of the waste materials, it might be preferable to pose the question “How have existing buildings been reused and, if they have not, what reasons are there for not re-using them?”</p>	<p>Please note that for large scale commercial, these bullet points have now been removed, as the issues are now covered by BREEAM. A sentence within each section has now been added which re-states that each application will now be judged on its own merits. See point 5.8 of this schedule for more information.</p> <p>Agree, that demolition should be discouraged unless there is no other option. New sections (5 and 6) and additional paragraphs have been added to the IPS to cover the refurbishment, conversion and change of use of existing buildings.</p>
6.50	Design section makes reference to the orientation and size of windows. This is important when considering the impact of poor air quality on the building. Building height may also be an issue, since in very polluted areas, vehicular borne pollutants can be trapped within street "canyons". You should be asking that buildings are set back from the carriageway, preferably by at least 10 metres. Heating and air conditioning systems should be	We acknowledge the point of this comment that has been made, but it is too detailed for this document,. This is something that would be discussed and developed with the applicant during pre-application discussions, and also once the application has been submitted.

	designed to minimise the energy consumption. When installing gas-fired boilers, the discharge flues should be designed and located according to the requirements of either Building Regulations or the Clean Air Act 1993.	
6.51	A4 Design “Criteria d” should include the City “and its environs”. The BREEAM requirement “in terms of design” makes little sense. Large scale developments are expected to achieve “very good” BREEAM standards under the headings listed in Appendix 1 but in the text some elements are not required to have a BREEAM rating, and others are linked to headings elsewhere e.g. (4.9) where many items should come under other categories. The suggested criteria should be re-examined e.g. why emphasise thermal mass, and ignore lightweight construction with effective insulation? There is no mention of compact planning to reduce lengths of external wall. In a changing climate we wish to maximise solar gain?	With regard to criteria d of policy GP4a, we are unable to make changes at this stage as the Local Plan has been agreed for DC purposes. The items mentioned are there to help raise awareness as well as give examples, however this may be confusing people therefore it may be best to remove them. The point about the BREEAM standards for each heading shall be removed, as this too is causing confusion. I.e. “in terms of design”. Agree that the requirement in terms of BREEAM is very confusing, therefore an additional paragraph in the large scale section should be added. Details of this new paragraph can be found in 2.2 of this schedule.
	General Comments – Resources	
6.52	A5 – Resources under 4.10 add bullet-point to read “How does the proposal minimise the impact of geodiversity, soil compaction/erosion and demonstrate how you will improve biodiversity.	This is covered in the small scale commercial development section under landscape and wildlife.
6.53	A5.2 within the minimum standards box. Additional text at the end of the paragraphs should read “Use plants that grow in dry places and that reduce cooling of the atmosphere using recycled mulches when planting.”	This is a good example, however for the purpose of the IPS, we should keep the document short with not too much detail. Therefore do not need to include this reference.
6.54	5.9 please add “And use of plants that tolerate extreme conditions i.e. dry places and use mulches when planting see www.gohelios.co.uk Nation Plant Specifications www.plantspec.org.uk Top amenity plants for places.	Good points, however once again too detailed for this section. It is however important to steer people to places where more information is available, therefore the website references shall be added to Appendix 2.

6.55	Section A5.3 (Waste and Landfill) should point out that waste should be disposed of at an authorised waste management facility.	It is not the purpose of this document to state legal requirements in terms of waste disposal. It is also deemed obvious that waste should be disposed of at an authorised waste management facility.
6.56	Section B – There is no mention of waste. Even though small scale developments do not require assessment under BREEAM it may be permanent to include similar information as section A5.3 for small scale developments to avoid future waste management issues.	<p>Agree that waste should be mentioned and placed under the resources section for small scale developments. Remove text from large scale section as this is to simplify the large scale section, however text should be placed within the small scale commercial developments section.</p> <p>Paragraph 3.9 text to read: “Construction accounts for one-third of waste materials in the UK, including some 1.3 million tonnes of products that are delivered to site each year and not used. Analysis by leading firms in the construction industry shows that good practice in materials ordering and managing site waste can save up to 20% of materials on site. Together with financial savings from segregation and recycling wastes to avoid landfill, this can reduce build costs by 3%. Applicants are reminded that recovered materials can be used as components in new construction.”</p>
6.57	A5.1 Recycling of demolition waste already takes place – demolition contractors were the industries first recyclers, so why do you need me as an applicant to state the obvious? In addition surely waste management and its disposal is the domain of Yorwaste and the WEE (Waste Electrical and Electronic Equipment) regulations not The Town & Planning Act. (Also applies to small scale developments).	This is a good way for developers to demonstrate their existing good practice in the sustainability statements, however we know they have been doing it for years. Site Management (working time, dust, noise) has been coming under planning conditions for some time now.
6.58	Under the issue of resources, the assessment of the energy costs of the development should include consideration of energy costs which are embodied within the existing buildings.	This is addressed through the BREEAM assessment under large scale developments and addressed in the Code for Sustainable Homes.

6.59	Under A5 Resources, in what form do you expect to receive energy assessments? They should presumably be calculated and technically correct: will the Planning team be scoring these and what is the criteria for acceptance?	The planning department will work closely with Building Control on assessing these. Energy assessment will be received in different forms depending on the application. Advice should be sought from building control once an application has been submitted.
6.60	The Council should not seek an energy assessment for planning applications as it has no basis in any adopted development plan policy and would be a significant added burden on potential developers.	An energy assessment is sought to look at how the building performs, and is required in order to assist applicants. This methodology will prove that the building performs above the building regulations.
6.61	A5 – Resources, “criterion e” mentions ‘whole life’ costs of materials. 4.10 mentions ‘whole life’ costs of the development. This is confusing Clarify what is meant by these terms.	Agree that a definition is needed. Paragraph 4.10 will now be removed, A foot note has now been added and a fully definition provided in Appendix 2. Definition states: “Whole life costs of a material and building identify the total costs of making, running and maintaining it. For a material this information is contained in the BRE Green Guide for Specification and includes the environmental impacts, replacement cost, repair and maintenance costs of materials and gives them a rating in terms of their whole life performance – so a material that is more expensive to use in construction but needs less maintenance and will last longer, is actually cheaper (financially and environmentally) over its lifetime than an alternative that had a lower capital cost when first used. The same can be applied to buildings so that energy efficiency measures or renewable energy technologies may have a higher initial capital cost but over the lifetime of the building will save money by reduced running costs” .
6.62	Appendix 2: Resources – revise entry under greenstreet.org – confine entry to web address only.	Website referred to in Appendix 2 but there is little need for additional text.
	General Comments – Pollution and Site Management	
6.63	We would expect the requirements in f) would be covered by the Control of Pollution.	Yes but as it is part of policy GP4a, pollution still needs to be covered within the IPS. Control of pollution reg 3, there is still a lot of information

		which we are unable to include within the IPS, therefore IPS only touches upon this subject.
6.64	4.17 explains light but does not explain the importance of soils, compaction, erosion (SUDS) and to improve geodiversity and biodiversity.	Soils, compaction and erosion are covered under the BREEAM section on landscape and wildlife. Under section 3 the importance of soil, compaction and erosion could be mentioned. 3.13 now has a question stating: “Has the impact of the development on soil erosion and compaction been considered? If so, how can the effects be controlled/mitigated to have a positive impact on geodiversity and biodiversity?”
6.65	5.11 add bullet point to read “How will the proposal address (SUDS), soils, compaction, erosion and enhance geodiversity and biodiversity?”	A question regarding soil has now been added to 3.13 instead.
6.66	Section A6.1 (Pollution) – Paragraph 4.16 should ask the following additional question: ‘What measures have been incorporated to avoid pollution of the water environment’ as this aspect does not seem to be adequately covered.	Questions within the large scale development section have now been removed to simplify the document and to ensure that only BREEAM guidance is followed.
6.67	Section A6 (Pollution and Site Management) – It may be useful to include guidance on brownfield sites within this section as follows: “Foundation design should be undertaken with regard to the sensitivity of the underlying geology. Information on piling on contaminated sites can be found on the environment agency website: www.environment-agency.gov.uk	This information has now been added to Appendix 2.
6.68	Construction should have regard for the environment gain via clean up of previously contaminated ground. The procedure via which this should be undertaken is outlined in PPS23. The framework to adhere to PPS23 is to carry out investigations in accordance with CLR11, model procedures for the Management of Contamination. The link for this document is: www.environment-	This information has now been added to Appendix 2.

	agency.gov.uk/subjects/landquality/113813/881475/?version=1&lang=e	
6.69	Under the Water Resources Act 1991 it is an offence to “knowingly permit” pollution of controlled waters. Knowingly permitted pollution of controlled waters may occur if incorrect foundations are used on contaminated sites, or if inadequate clean up is undertaken.	This is true, however is considered to be a detailed building control issue. If it had an impact on the sustainability measures that could be used on site , such as Ground Source Heat Pumps (GSHP) then this would be explained and justified in the sustainability statement. For example if a GSHP was identified as the most efficient renewable energy technology for the site but was inappropriate because of ground contamination then it is likely that this would be accepted by the LPA as a justifiable reason for not using that particular technology.
6.70	Section B6.1 (Pollution) – Paragraph 5.10 should ask the following additional questions: ‘What measures have been incorporated to avoid pollution of the water environment’ as this aspect does not seem to be adequately covered.	Agree, Question has been added under 3.10. New text to read: ‘What measures have been incorporated to avoid pollution of the water environment?’
6.71	Section A6 is a further repeat of the requirements and legislation that landowners, developers and contractors are already obliged to comply with and over which the Council and other Government Agencies hold enforcement powers. I fail to see any connection between sustainability and a contractor being a member of The Considerate Constructors or other similar scheme. It should be encouraged, but how can any applicant consent to this type of requirement at planning application stage, when it may be months or years from when construction actually takes place? (Also relate to small scale developments).	The Considerate Constructors Scheme helps to ensure the development is trying to reduce its impact in many areas including social and environmental. An applicant can make a commitment to it at the application stage and then include it as a requirement in all tender documents.
6.72	Once the development is completed, there is a large number of areas that impact on the environment that the developer should be aware of, particularly fugitive dust emissions, fumes from diesel plant and machinery and noise from non-silenced or poorly maintained or situated plant and machinery. There are a number	Considerate Constructors Scheme includes these aspects and this is a requirement small scale developments. The BREEAM assessment would also consider these aspects. Pollution control legislation and regulation will need to meet with all new development. How the site is managed is down to end users. Specific contamination issues such as

	<p>of measures contractors can employ to minimise these impacts during the construction stage, and these should be implemented.</p> <p>For large commercial operations it is possible that the building's lifetime could result in contamination. Emissions from certain industrial processes may also require regulation under other legislation enforced by this unit however, the overall impact of development should be considered in details during the planning stage.</p>	<p>these will be dealt with at the application stage by contamination specialists.</p>
6.73	<p>The SPG should not seek adherence to either the Institute of Civil Engineers Demolition Protocol or the Considerate Constructors Scheme. Both matters have little relevance to the planning of most sites.</p>	<p>This is a sustainable design and construction IPS, and both the Civil Engineers Demolition Protocol and the Considerate Constructors Scheme are both relevant in terms of steering and moulding planning initiatives. How we build is equally as important as where we build.</p>
	General Comments – Landscape and Wildlife	
6.74	<p>How do you take into account “the unavoidable climate change anticipated in the locality over the lifetime of the development?” (Page 18 Para 4.20)</p>	<p>This is referring to offsetting emissions, i.e. tree planting. The IPS is not the most appropriate document to deal with this issue, therefore the reference will be removed. Reference should however be made to climate change, therefore the ‘climate change – adaptation by design’ document will now be referenced within Appendix 3.</p>
6.75	<p>A7 – Landscape and Wildlife – What is a natural area? There are no natural areas within greater York, all are man made and managed to a greater or lesser degree.</p>	<p>Agree that a definition of a Natural Area should be provided. This is included in Appendix 2 “Natural Areas” are categorisations of the English landscape based on areas which are similar in character associated with wildlife, landforms, geology and land use and human impact. For more information, please visit http://www.english-nature.org.uk/Science/natural/role.htm “</p>
6.76	<p>“Trees to be allowed to reach full growth”... This seems overly restrictive. Trees will often need to be managed in order to provide the appropriate number, scale and safety requirements.</p>	<p>The main concern is with having the right tree for the right location, requiring the minimum amount of work throughout the tree's life to ensure it is kept safe and compatible with the location. Tree species</p>

		should be considered carefully before decisions are made.
6.77	Why is there a picture and associated misinformation about the marbled white butterfly? It has been around for many years within 20 miles of York (mainly on the Wolds). Please see the attached copy of the field guide, published in 1984 which makes specific reference to York.	All pictures have now been revised, see graphics in document.
6.78	<p>4.19 – second bullet-point (& 5.13 third bullet-point) to read “How does the existing or proposed landscaping treatment contribute to the comfort and amenity of a development by excluding cold winds and creating sun traps or <u>cooling in</u> gardens and open space?”</p> <p>5.13 (second bullet point) add ‘biodiversity’ and ‘or cooling’ for sentence to read: “How has the existing or proposed landscaping treatment been assessed for how it can contribute to the <u>biodiversity</u>, comfort and amenity of a development by excluding winds <u>or cooling</u> and creating sun traps in gardens and open space?”</p>	This is a combination of enhancing biodiversity at the same time as the natural thermoregulation of buildings without the need of energy (E.g. electricity). Agree that question should be added to the small scale section only. Question in 3.13 to now read: “How has the existing or proposed landscaping treatment been assessed in terms of how it can contribute to the <u>biodiversity</u>, comfort and amenity of a development by excluding winds <u>or cooling</u> and creating sun traps in gardens and open space?”
6.79	4.19 – 4 th bullet-point (& 5.13 fourth bullet-point) should have additional text “including hedges and verges” for sentence to read “Does the proposal include retaining (or provision of) natural areas including hedgerows and verges and if so to what extent?”	Questions within the large scale development section have now been removed to simplify the document and to ensure that only BREEAM guidance is followed. Agree, sentence under 3.13 to now read: “Does the proposal include the retention or provision of natural areas including hedgerows and verges and riverbanks, if so to what extent?”
6.80	After 4.19 (& 5.13 eighth bullet-point)in the additional text section reference should be made to English Nature booklet – Living	We are keen to keep the content of the document to a minimum however the information may be useful to developers. Add this

	roofs.	additional information to Appendix 2.
6.81	4.20 – add the word geodiversity before biodiversity in the second sentence. Sentence to read “The ecological appraisal should provide recommendations on protection, mitigation, enhancement and management of <u>geodiversity and biodiversity</u> in the site...”	This sentence has now been removed as ecological issues are covered under BREEAM. However this is a good point and shall be incorporated into the small scale non-residential development section under paragraph 3.13.
6.82	The SPG should recognise that an ecological assessment is only appropriate on sites where there is suspected to be some nature conservation interest. It should not be a requirement for all sites.	Possibly, but if there is no ecological interest to start with, a development should seek to improve this. We need emphasise the potential of enhancing sites, not just preserving them. We should also be creating new ones. Therefore it is important that the reference within the IPS remains.
6.83	The SPG should set out clearly in what circumstance a landscape management plan will be required. There can be no basis for a general requirement for its provision on all types of development.	Each case will need to be assessed on its own merits, to assess whether a landscape management plan is needed or not. Therefore discussions will need to take place with the development control officer who will be able to gather archaeological advice.
6.84	Welcome point 4.22 that insists upon a landscape management plan and an ecological appraisal for any new large-scale developments. Section C7: Domestic Extensions; Landscape and Wildlife, wish to see any impacts of domestic extensions be assessed to ensure the protection of habitats within existing buildings and nearby trees. Before extensions to existing dwellings are agreed a bat survey should be undertaken.	Local surveys are currently requested by the Council for work on roof spaces, however it would be unrealistic to require all domestic extensions to specifically undertake a bat survey. Therefore the wording within the IPS as it stands is seen as sufficient.
6.85	A7 – Landscape and wildlife – we suggest that YNEP submissions should form the basis of the guidelines.	Having observed the YNEP submissions it may not be realistic to use these as guidelines. Although the requirements stated are valid, they are very difficult to implement at this level. Therefore it is not deemed suitable to use the guidelines within the IPS.
6.86	5.13 a bio-diversity management plan should be required as in 4.20	It is thought that undertaking a biodiversity management plan for developments of this size was not deemed necessary.

6.87	Not enough emphasis put upon creating garden areas and cultivation wherever possible however small, around both domestic and commercial buildings to counteract carbon emissions. Hard standing should always be kept to a minimum. This will also provide food (insects and seeds etc) for birds and other wildlife as well as looking attractive and providing a scene of wellbeing.	This is a good point. Add paragraph 3.12 stating: “It is important that cultivation of green areas is considered wherever possible to counteract carbon emissions. Hard standing should always be kept to a minimum to ensure that there is sufficient food for the local wildlife and to generally provide a sense of wellbeing.”
General Comments – Renewable Energy		
6.88	Construction of new extensions to existing properties may provide good opportunities to install renewables.	Agreed.
6.89	A8 Renewable Energy indicates that 10% of energy demand is to be achieved through renewable generation. Should this (rather modest) requirement show an incremental increase in future years? Does use of green tariff meet this requirement? Should this requirement be measured in CO2 rather than energy demand, which is the way that legislation is starting to be framed?	In terms of BREEAM assessments the use of a green tariff doesn't get you points under the Design & Procurement Assessment but it does in the Post Construction Assessment. We need to qualify the requirement to state 'on site renewables' to ensure the installation of these technologies. We should retain the use of energy demand as it makes a clear connection with energy efficiency and renewables – the more efficient the building the lower the energy demand and therefore the smaller amount of renewables required to meet the 10%. Therefore when reference is made to renewable energy, the document should be clear that it is on-site renewables which is being referred to.
6.90	One of the main plan objectives of the draft Regional Spatial Strategy(RSS) (2004) is to encourage the 'use of renewable energy'. This policy clearly reflects policy ENV 5 iii) in draft RSS (2005) which requires at least 10 per cent of the energy to be used in sizeable new development to come from on-site renewable energy resources.	Noted.
6.91	Minimum renewable energy targets within the SPG for large-scale and small-scale developments welcomed. However, the evidence base used to support the renewable energy threshold in	The renewable energy requirements expected are 10% for large scale development and 5% for small scale (5% for residential, 10% for reuse of 5+ dwelling units, 5% for reuse of 4 or less dwelling units) These

	the SPG is unclear and appears to deviate from the recommendations of the Renewable Energy Study for North Yorkshire, prepared by the Land Use Consultants.	percentages of energy use in a development to be generated on site reflects those used by other councils around the country that have been tested at appeal. This document is an Interim Planning Statement and as such is an awareness raising tool as well. York has some renewable energy installations but the city has distinct characteristics that means some installations are quite difficult to achieve i.e. historic built environment. For these reasons the established percentage has been used however, it is expected that will be revised in line with national and regional changes as part of the LDF process.
6.92	A8 Energy requirements of all parts of the development must be indicated at this stage, in order to check the viability of the sustainability appraisal. The manufacture of photovoltaic cells and their eventual disposal involves excessive energy and pollution costs. Should they be promoted?	The whole life costs of PV cells is one of the highest for all renewables however this needs to be considered over the lifetime of the installation and the increase in energy cost over that time. In some location the use of PVs is the only renewable energy possible.
6.93	Appendix 2: Energy – omit comment at end of entry on carbon buildings programme. Omit this entry completely (see above).	See above comments (6.92).
	General Comments – Recycling	
6.94	4.25 no mention is made of internal provision for recycling sorting within dwellings, as continental practice.	Agree that this should be mentioned. Provision for recycling facilities is covered in details within Appendix 5 and as minimum standards in section 4.
	General Comments – Additional information to go in Appendix 2 (which is know known as appendix 3)	
6.95	<ul style="list-style-type: none"> English Nature Booklets: Living Roofs, wildlife on allotments, email: enquiries@englishh-nature.org.uk Tel: 01733 455100 www.turf.co.uk Instant green roofs or roof gardens by special wildlife mixers grown on recycles textiles biodegradable mats – link Sheffield living roofs above. www.gohelios.co.uk National Plant Specifications. 	<p>Agree to add this reference and contact details to appendix 2.</p> <p>Add to appendix 2.</p> <p>This has already been added to appendix 2.</p>

<ul style="list-style-type: none"> • www.compost.org.uk BSI (PAS 100) standards for recycling conserving and improving soils. • www.bstopsoil.co.uk Quality top soil with technical support see video. • http://ec.europa.eu/environment/soil/ The importance of soils for biodiversity. • Details of good street design can be found in the recently published (March 2007) manual for streets (www.dft.gov.uk/pgr/sustainable/manforstreets/) which gives detailed design considerations. • Further information on good cycle design from Transport for London: www.tfl.gov.uk/cycles Also Lancaster Council have good design guidelines: www.lancashire.gov.uk/environment/cycling/policy.asp • Planning Policies for Sustainable Building – Guidance for Local Development Frameworks. For a PDF version of this document please see link below: www.lga.gov.uk/download.asp?path=/Documents/Publication/planning%20policies%20complete.pdf • Regional research report on Green Infrastructure for further guidance, which can be downloaded from the following link: www.leedsmet.ac.uk/as/cudem/projects/country/CIAT_final.pdf • More information on green infrastructure and Natural England's Countryside In And Around Towns Vision is available from our website at the following link: www.countryside.gov.uk/LAR/Regions/yorkshireAndHumber/activities/Landscape/Countryside_towns/index.asp 	<p>Add to appendix 2.</p> <p>Unnecessary to have more than one reference to soil / composting.</p> <p>Unnecessary to have more than one reference to soil / composting.</p> <p>Add to appendix 2.</p> <p>Add to appendix 2.</p> <p>This reference may not benefit applicants however will be of use to the City of York Forward Planning Team. Noted.</p> <p>Add to appendix 2.</p> <p>Add to appendix 2.</p>
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	<ul style="list-style-type: none">• Landscape and Wildlife – the references should be considerably expanded and made more relevant. Appendix 2: Landscape and wildlife – add reference to suitable trees and plants.	<p>This has now been done.</p> <p>Reference: www.gohelios.co.uk has now been added which covers planting specifications at a national level.</p>
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