

# Climate Change Member Advisory Board – 17 June 2020

## Climate change and the planning system

### Overview

Addressing climate change is one of the core land use principles which the National Planning Policy Framework (NPPF) expects to underpin both plan-making and decision-taking. The Planning and Compulsory Purchase Act 2004 requires local planning authorities (LPAs) to include in their Local Plans ‘policies designed to secure that the development and use of land in the LPA’s area contribute to the mitigation of, and adaptation to, climate change’. Local Plans must adopt proactive strategies to mitigate and adapt to climate change, in line with the Climate Change Act 2008, and cooperate to deliver strategic priorities which include climate changes.

Plan-making and development management can fully support the transition to a low-carbon future in a changing climate:

- Shape places to help secure radical cuts in greenhouse gas emissions. This requires the location and layout of new development to be planned to:
  - deliver the highest viable energy efficiency, including the use of decentralised energy;
  - reduce the need to travel, particularly by private car; and
  - secure the highest possible share of trips made by sustainable travel.
- Actively support and help to drive the delivery of renewable and low-carbon energy generation and grid infrastructure.
- Shape places and secure new development to minimise vulnerability and provide resilience to impacts arising from climate change, in ways consistent with cutting greenhouse gas emissions.
- Ensure that there are real opportunities to take positive action on climate change by encouraging community-led initiatives such as the promotion of decentralised renewable energy use or securing land for local food sourcing.
- Increase sustainable transport use and local transport solutions.

It is worth emphasising that these policies simultaneously achieve other social objectives.

### Planning legislation and reform

Local Plans must include policies designed to tackle climate change and its impacts. The amendments to the Planning and Energy Act 2008 have not been enacted, and the powers afforded to Local Planning Authorities (LPAs) through the Act to set energy efficiency standards in new homes still exist. LPAs have the power to adopt such standards where they are compliant with other national policy.

LPAs are able to set standards above the building regulatory minimum. A 19% reduction in carbon dioxide emissions on the regulatory minimum is a sound 'standard' for LPAs to aim for (provided there is an evidence base to support viability, etc.). This would apply to new dwellings only. There are no limits on standards across the non-domestic sector (schools, healthcare, retail, industrial offices, etc.). We are anticipating uplifts to national Building Regulations to increase the energy efficiency requirements for new homes, following a government consultation in Autumn 2019 on the Future Homes Standard. The distinction between Building Regulations and Planning Policy is to be noted.

### **Evidence base for plan-making**

National planning policy reinforces the importance of the legal basis of the local plan-led system and the need for a strong and proportionate evidence base, including the need to test the viability of policy. Evidence should be effective and proportionate, while some aspects may require the commission of specific new resources.

National planning policy outlines strategic priorities that should be included in the local plan and to which the duty to co-operate particularly applies. These strategic priorities include climate change mitigation and adaptation.

### **Plan-making for adaption**

*Definition:* Adjustments to natural or human systems in response to the actual or anticipated impacts of climate change, to mitigate harm or exploit beneficial opportunities.

LPAs are under intense pressure to allocate sites for new housing in local plans, but site selection is a foundational component of dealing with climate change. Reducing the need to travel, connecting to existing heat networks and avoiding areas of flood risk are obvious considerations that can sometimes be in tension.

These are important elements of the emerging spatial strategy and the way in which sites are being selected to be allocated for development. As part of the plan making process, the council has assessed access to services and transport choice for potential development sites, and screened sites for flood risk.

### **Plan-making for mitigation**

*Definition:* Action to reduce the impact of human activity on the climate system, primarily through reducing greenhouse gas emissions.

In addition to the Strategic Flood Risk Assessment, the key evidence for successful mitigation policy relates to:

- baseline carbon dioxide emissions and a local understanding of trends;
- the supply and demand for renewable and low carbon energy must be mapped out for potential low-carbon communities;
- opportunities for renewable and decentralised energy should be assessed at an early stage; and
- setting requirements for sustainable buildings.

It is important to note that all of the above require external support. This could be undertaken as an extension to current work on assessing corporate assets by Local Partnerships as a cross-departmental effort.

In addition, the opportunities for increasing the proportion of trips made through sustainable transport routes should be maximised. This work is progressing under the Strategic Transport

Assessment, which forms part of the evidence base for the Local Plan. The preparation of the Green and Blue Infrastructure Framework also has specific considerations in adaptation and mitigation for climate change.

### **Emerging planning policy**

The transition to a low carbon economy and the implementation of quality design standards are important elements of the proposed vision and strategic objectives in the emerging local plan. Officers are preparing planning policy intended for the draft Local Plan (i.e. Regulation 19). It is important to note that planning policy must be evidence-based; it will need to stand up to potential challenge during the examination process.

### Design

Revised national planning policy places greater emphasis on the role of design as a key aspect of sustainable development. The National Design Guide<sup>1</sup> published in October 2019 identifies sustainability principles within the key characteristics of good design. The emerging low carbon development policy in the new Medway local plan aims to achieve energy efficiency first through best practice design principles.

The preparation of new planning policy concerning design principles should not require commissioning Medway-specific evidence work; this has been informed by 'Building for Life 12' (BfL12), a government-endorsed industry standard for design. BfL12 recommends the need to consider the potential to benefit from solar gain through building orientation and design where this can be achieved without compromising good urban design or creating issues associated with overheating.

### Heat opportunities

The proximity of power stations to the proposed expansion of Hoo St Werburgh presents an exceptional opportunity to re-use waste heat through a district heating grid, however this is likely to depend on a critical mass and density to be viable. Local Combined Heat and Power (CHP) installations are likely to be suitable for the Hoo Peninsula. The land take can be relatively small, with sites located closer to light industry to avoid residential amenity issues. Such installations could be delivered in line with the anticipated completion of new development. This is likely to be more efficient than transporting energy/heat from a centralised point, with the connections as short as possible. The Hoo Development Framework should be informed by a feasibility study for local CHP installations.

The Department for Business, Energy and Industrial Strategy (BEIS) has established a Heat Networks Delivery Unit (HNDU) with the objective of supporting a number of local authorities in England and Wales to identify and evaluate opportunities to develop new heating and cooling networks and to expand existing heating and cooling networks. The council has secured funding to carry out heat mapping and energy masterplanning feasibility work and this will form part of the wider evidence base.

### Carbon fund

The 2010 Renewable Energy Capacity Study<sup>2</sup> found that the largest source of emissions arise from domestic properties, reflecting the mix of building stock in Medway. The domestic and

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[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/843468/National\\_Design\\_Guide.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/843468/National_Design_Guide.pdf)

<sup>2</sup> [https://www.medway.gov.uk/downloads/file/2376/renewable\\_energy\\_capacity\\_study\\_2010](https://www.medway.gov.uk/downloads/file/2376/renewable_energy_capacity_study_2010)

commercial emissions projections identified a limited level of impact on overall building stock emissions as a result of new-builds only. The 2010 study suggested that the transition to a low carbon future will therefore require policy measures that target existing buildings as well as new development. The 2010 study also suggested that the council consider the establishment of a carbon fund for developers to make an off-site contribution where on-site measures are demonstrably not feasible.

A carbon fund could allow for targeting insulation improvements for poor performing stock or pooled towards investments in new infrastructure. The range of off-site contributions would need to be established. Initially, this could be based on a nationally recognised carbon pricing mechanism (£60 per tonne and calculated over 30 years) to inform the wider viability assessment. This could be superseded once further work is commissioned to determine the cost of offsetting carbon emissions across Medway. Further scoping is required to consider the resources to establish the operation of such a programme.

#### Community-led initiatives

National planning practice guidance states that community-led initiatives are likely to play an increasingly important role and should be encouraged as a way of providing positive local benefit from renewable energy development. Communities can prepare a community energy plan to underpin a neighbourhood plan. There are currently four neighbourhood plans in preparation in Medway.

#### Key considerations

A key consideration is the extent to which external technical support is required and how this could be resourced, following current work to review council assets to identify initial carbon reduction projects.

Emerging policy would benefit from external support to determine the carbon percentage reduction over Building Regulations required, providing a reasonable split between improvements above Building Regulations and renewable energy schemes, along with water consumption, materials and waste requirements for new residential developments. In addition, the council would need to develop a clear programme for implementation of off-site energy measures and an appropriate means of delivery.

Policies would be subject to viability testing to ensure that they are deliverable, as part of the tests of plan making. Early evidence base work on the Viability Assessment for the Local Plan indicates some locations are challenged on viability, and the council will therefore need to carefully consider policy and infrastructure priorities.

Adaptation and mitigation to climate change form part of the vision and strategic objectives for the new local plan. There are opportunities to consider the profile of this aspect of sustainable development in preparing the draft plan.

Transport is an important component of planning for climate change, and achieving meaningful change may involve challenging policy moves in promoting alternatives to car based travel, such as within the central urban areas. This needs to be considered within the context of the new local plan.