

TONBRIDGE & MALLING BOROUGH COUNCIL

PLANNING and TRANSPORTATION ADVISORY BOARD

26 February 2007

Report of the Director of Planning, Transport & Leisure

Part 1- Public

Matters for Recommendation to Cabinet - Non-Key Decision (Decision may be taken by the Cabinet Member)

1 PROPOSED PLANNING POLICY STATEMENT: PLANNING AND CLIMATE CHANGE

Summary

The Government is consulting on a draft supplement to Planning Policy Statement 1 (PPS1) entitled 'Planning and Climate Change'. This Report summarises the main issues identified in the draft PPS and the key implications. This Report also seeks endorsement of the draft response to the consultation (see response to consultation questions in Annex A).

1.1 Purpose of PPS

1.1.1 'Planning and Climate Change' sets out how planning should contribute to reducing emissions and stabilising climate change (mitigation) and take into account the unavoidable consequences (adaptation). This publication is opportune bearing in mind that climate change is one of the Council's Key Priorities for 2007/08. Although it deals with Climate change and the Planning System it will be relevant to matters of a more corporate dimension.

1.1.2 The consultation forms part of a wider package of action by the Government to help deliver the Government's ambition of achieving zero carbon development by 2016. This includes the 'Code for Sustainable Homes' and a consultation document, Building a Greener Future, which sets out how planning, building regulations and the 'Code for Sustainable Homes' can drive change, innovation and deliver improvements to the environment. 'Building a Greener Future: Towards Zero Carbon Development' defines a new home as genuinely zero carbon when it delivers zero carbon (net over the year) for all energy use in the home - cooking, washing and electronic entertainment appliances as well as space heating, cooling ventilation, lighting and hot water. This will require renewable or very low carbon energy in addition to high levels of insulation.

1.1.3 When 'Planning and Climate Change' is finalised, it will supplement PPS1: Delivering Sustainable Development.

- 1.1.4 A companion guide is being prepared to provide practice guidance and support for the implementation of the policies in the PPS.

1.2 Implications for Planning and Development

- 1.2.1 **Energy Supply** - In preparing policies in Development Plan Documents (DPDs) Local Planning Authorities (LPAs) are required to pay particular attention to opportunities for utilising, expanding and fostering the development of energy systems that harness energy from local renewable/low-carbon energy sources.
- 1.2.2 For substantial new developments (a total useful floor area over 1000m²) local planning authorities will need to ensure that a 'significant proportion' of the energy supplied is gained on-site and renewably and/or from a local renewable/low-carbon source (defined as decentralised energy supply in the PPS). A 'significant proportion' is to be defined through a LPA's DPD. In the interim, before a 'significant proportion' is tested and defined through the preparation and adoption of a DPD, a standard of 10% should be required. This is an important statement that is not included in the main body of the PPS - it can only be found in a footnote to a paragraph and within one of the accompanying annexes. It is considered that the interim 10% requirement should be clearly stated within the main text of the PPS. In the light of this advice I shall be recommending to the LDF Inspector that an amendment should be made to Core Policy CP1 to reflect this 10% requirement.
- 1.2.3 **Minimising Energy Consumption** - Applicants will need to demonstrate to LPAs that their proposed development has been designed to minimise energy consumption. Minimising energy consumption includes maximising cooling, avoidance of solar gain in the summer and maximising natural ventilation taking into account the likely local noise environment and ambient air quality. The draft PPS advises that this can be achieved through the use of landform, layout, building orientation, landscaping, massing of buildings, density and mix of development. In this respect, the Council was somewhat ahead of the game in including Policy P3/19 in its Local Plan. This policy has been little used in the past perhaps because of fear that it might not be supported on appeal. This latest guidance will mean that this policy will now have much greater weight. It will need to be refined and carried forward into the LDF.
- 1.2.4 With regard to urban cooling, i.e. the moderation of high summer temperatures, this can be achieved through the provision of public and private open space within new developments (where appropriate) offering accessible choice of shade and shelter. The role open spaces can play in adapting to climate change is a matter that will need to be considered during the preparation of the Open Space Strategy for the Borough and the drafting of the Open Space DPD.
- 1.2.5 **Sustainable Urban Drainage Systems** - LPAs will need to secure within new developments Sustainable Urban Drainage Systems (SUDS). SUDS offer an alternative approach from the traditional ways of managing runoff from buildings

and hardstanding. They can reduce the total amount, flow and rate of surface water that runs directly to rivers through stormwater systems. LPAs need to pay attention to the potential contribution to be gained to water harvesting from impermeable surfaces and encouraging layouts that accommodate waste water recycling.

- 1.2.6 The practical application of the matters raised in these paragraphs will fall primarily on the Development Control process. This will mean that training and awareness and the future preparation of detailed and practical guidance will be a priority.

1.3 Implementation of PPS Policies

- 1.3.1 A practice guide will be published by the Government to assist the application and implementation of 'Planning and Climate Change'. It is anticipated that the guide will be organised in two parts: 1) implementing policy and procedures, and 2) technical and good practice guidance. As with so many of the Governments recent Policy Statements it would have been helpful for the detailed Practice Guidance to be published alongside the draft Policy Statement, because so often the acceptability of the principle depends upon the detailed application of a policy.
- 1.3.2 It is of particular note that the PPS states that it will not be necessary to use planning conditions to control those aspects of a building's construction and fittings that will be required to be in place to meet environmental standards set through the Building Regulations. Planning conditions or planning obligations should be used to secure the longer-term management and maintenance of those aspects of a development required to ensure compliance with the policies in the PPS.

1.4 Managing Performance and Monitoring

- 1.4.1 **Sustainability Appraisals (SAs)** - SAs (incorporating Strategic Environmental Assessment) are identified as an important tool in shaping spatial strategies and policies that support the Key Planning Objectives set out in the PPS, i.e. mitigating, and adapting to, climate change. In the light of this, the SA Objectives developed for the first tranche of the Council's Development Plan Documents will need to be reviewed, and where appropriate, updated to ensure issues associated with mitigating and adapting to climate change are adequately addressed in the second tranche DPDs. Further advice on how this is to be done will hopefully be spelt out in the practice guide being prepared for the PPS.
- 1.4.2 **Regional Carbon Yardsticks and Trajectories** - Regional Planning Bodies (RPBs) are required to consider the provision, in the Regional Spatial Strategy (RSS), of clear yardsticks for identifying trends in carbon emissions. RPBs are encouraged to produce, and include in the RSS, trajectories for the expected carbon performance of new residential and commercial development and express the trajectories as the anticipated carbon emission rate as an average over time. Details on establishing trajectories are set out in an annex to the PPS. The

practice guidance being developed to support 'Planning and Climate Change' will include advice on generating and developing trajectories. I will reserve judgement on exactly how practical this will be until we have seen the details in the Practice Guide.

- 1.4.3 **Annual Monitoring** - The PPS advises that Annual Monitoring Reports should be published and both report performance and describe the action intended to correct any adjustment to implementation. Monitoring should in particular include outcome performance against the carbon performance trajectories, or other yardsticks for identifying trends in performance, and renewables targets set in RSS. The practice guidance being developed to support 'Planning and Climate Change' will include advice on monitoring trajectories. Again, I reserve judgement on this until we have seen the details. The performance indicators developed for the first tranche of DPDs prepared for the Borough may need to be reviewed in the light of this advice.

1.5 Legal Implications

- 1.5.1 This PPS when approved will be a material consideration for development control and in the preparation of LDF documents.

1.6 Financial and Value for Money Considerations

- 1.6.1 None.

1.7 Risk Assessment

- 1.7.1 None.

1.8 Recommendations

- 1.8.1 That the Council

- 1) Welcomes the content of the PPS in principle
- 2) Expresses disappointment that the Practice Guidance was not published alongside the draft PPS because understanding the practicality of some of the measures is dependent upon the detail which is not yet available
- 3) endorses the detailed response to consultation set out in Annex A.

The Director of Planning, Transport & Leisure confirms that the proposals contained in the recommendation(s), if approved, will fall within the Council's Budget and Policy Framework.

Background papers:

Planning Policy Statement: Planning and Climate Change

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