

CLIMATE CHANGE SUPPLEMENTARY PLANNING DOCUMENT (SPD)

Committee: Finance and Assets

Date: 25 January 2021

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1.0 **ISSUE**

1.1 For Committee to determine whether to adopt the Climate Change Supplementary Planning Document (SPD). If so, this SPD will then become a material consideration in making planning decisions. A copy of the SPD, proposed for adoption, can be found at Appendix 2.

2.0 **RECOMMENDATION(S)**

2.1 That Committee:

- (A) Adopts, as a formal Supplementary Planning Document (SPD), the Climate Change SPD and brings it into effect as soon as possible (but not before any decision call-in period has expired).

3.0 **BACKGROUND**

Introduction

3.1 This is a new SPD, which aims to help the planning system achieve development which has a lower impact on the climate.

3.2 Preparation of this SPD was committed to in the Council's (June 2020) Environment Plan (available at <https://www.eastcambs.gov.uk/content/climate-change-0>).

Context and Background

3.3 Sections 1-2 of the SPD set the context for the SPD, and highlights the global issues in respect of climate change, and the need for local areas, such as East Cambridgeshire, to 'do their bit' to help mitigate the impacts of climate change. The Environment Plan also provides more detailed information by way of context.

Policy Review

3.4 Section 3 of the draft SPD provides a summary of the relevant planning legislation and national policy, as well as a review of existing Council planning policy (in its Local Plan and other SPDs).

- 3.5 What that review highlights is that the Council already has a good framework in place to seek development which has a lower impact on the environment and the climate, but that there is scope, via this SPD, to provide further guidance and encouragement on the issue.
- 3.6 However, and as explained within the SPD, there are limitations on what an SPD can do. Thus, this SPD cannot seek to *require* developers to do more than what the Local Plan asks, but rather help to reinforce what the Local Plan says, help to deliver what the Local Plan is seeking, and *encourage* (rather than require) developers to go further.

Climate Change SPD content

3.7 The relatively short SPD has four new Policies:

- **CC1 Reducing carbon dioxide emissions:** This policy encourages developers to submit a Sustainability Statement (or similar), and provides guidance on what that could cover. At present, developers tend to avoid submitting such information (despite the provision of the Local Plan) and often the Council has to condition any planning consent with the need for such a Statement to be subsequently submitted and approved by the Council. Ideally, we should look to turn this around so that the development proposals themselves are informed by sustainability measures in the first instance, rather than an after-thought, post permission. This new policy should help this, though it still sets out the option, at the Council's discretion, for conditions to be added to consents, if such Statements were not forthcoming at the application stage.
- **CC2: Reducing energy demand in existing buildings:** This policy targets specific applications involving changes of use and extensions, and seeks the developer to look beyond just the change of use or extension, and see whether opportunities exist for wider energy efficiency improvements to the building as a whole. As this is an SPD, it cannot require a developer to do this, but the policy encourages it, and proposals will be considered positively if a developer does so.
- **CC3: Resilient and adaptable design:** There is a general acceptance that as well as climate change mitigation, we need to accept climate change is happening and that we need to ensure development is able to adapt to a changing climate. This policy aims to do that by encouraging development to be more resilient to increasing temperatures, and more adaptable to future change.
- **CC4: Safeguarding renewable and low carbon energy sources:** This SPD does not set policies on new renewable energy proposals (as they are suitably covered in other SPDs). However, there is a gap in such existing policies in respect of safeguarding such renewable energy infrastructure, where they already exist. This policy proposes to fill that gap.

Consultation and Responses

- 3.8 Prior to the adoption of this SPD, the Council is legally required to undertake appropriate consultation for a minimum of four weeks. Officers have ensured at least minimum legal requirements in this regard are met: in the case of this SPD, a 6 week consultation took place between 13 October and 23 November 2020.
- 3.9 All comments received during the consultation have been carefully considered and, where appropriate to do so, changes to the SPD are proposed. As part of the process, we have produced a Consultation Statement report which includes all comments we have received on this SPD and the Council's response to these comments (a copy is attached at Appendix 3). Should Committee agree to adopt the SPD, then this Consultation Statement report will be published on our website alongside the adopted version of the SPD.
- 3.10 Several organisations and individuals responded to the SPD consultation. All the comments received are logged in a table in the Consultation Statement report. The Council has responded to each of the comments and this is recorded in the report. Where changes are proposed to the SPD as a result of these comments, this is clearly shown in the table.
- 3.11 We received 86 comments from 13 separate organisations and individuals to the Climate Change SPD (1 late comment was also received). While most of the comments were seeking changes to the SPD, there were some support to the policies in the SPD. Some representors are seeking policies to be more prescriptive requiring stronger policies to mitigate the effects of climate change. While others, mostly from developers, wanted policies to be more flexible and not to impose extra burden on them. It was also suggested by the developers that SPD policies should not go beyond their legal remit and scope. As a consequence of this, perhaps the most significant shift from the draft to the proposed adoption SPD is to make sure the SPD is absolutely clear as to what is *encouraged* rather than *required* of developers, especially in respect of anything which is not specifically required by the provisions of the Local Plan.
- 3.12 Other more policy specific representations were received, often to aid clarity, and these are welcome and have been incorporated. More generally, officers have made other relatively minor changes, to update text and improve clarity.
- 4.0 FINANCIAL IMPLICATIONS/EQUALITY IMPACT ASSESSMENT/CARBON IMPACT ASSESSMENT
- 4.1 There are no financial implications in preparing or adopting this SPD that cannot be covered by existing budgets.
- 4.2 Equality Impact Assessment (INRA) completed – appendix 1.
- 4.3 Carbon Impact Assessment (CIA) completed. In summary, the CIA concluded as follows:

On adoption, the SPD should have a positive effect, because it seeks to deliver development which has a lower carbon impact. That positive effect will nevertheless be limited by the legal restrictions placed on SPDs, in terms of SPDs not being able to place additional burdens on developers (unless such burdens are already set out in a Local Plan or set out in national policy/legislation).

5.0 APPENDICES

Appendix 1 - Completed INRA

Appendix 2 –Climate Change SPD – proposed for adoption

Appendix 3 – Consultation Statement

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer</u>
East Cambridgeshire Local Plan – 2015	Room12A The Grange	Richard Kay Strategic Planning Manager (01353) 616245
National Planning Policy Framework (NPPF) - 2019	Ely	E-mail: richard.kay@eastcambes.gov.uk

Appendix 1 - Completed INRA

EQUALITY IMPACT ASSESSMENT – INITIAL SCREENING

Initial screening needs to take place for all new/revised Council policies. The word ‘policy’, in this context, includes the different things that the Council does. It includes any policy, procedure or practice - both in employment and service delivery. It also includes proposals for restructuring, redundancies and changes to service provision. This stage must be completed at the earliest opportunity to determine whether it is necessary to undertake an EIA for this activity.

Name of Policy:	Climate Change Supplementary Planning Document (SPD)
Lead Officer (responsible for assessment):	Richard Kay
Department:	Strategic Planning
Others Involved in the Assessment (i.e. peer review, external challenge):	None
Date Initial Screening Completed:	Jan 2021

- (a) **What is the policy trying to achieve?** i.e. What is the aim/purpose of the policy? Is it affected by external drivers for change? What outcomes do we want to achieve from the policy? How will the policy be put into practice?

The SPD is a supplementary document, in support of policy contained in the Local Plan and in support of national policy. It does not set new policy, but rather gives clarity on how to interpret existing policy, and sets out what information is needed by applicants in order to help them to deliver development which has a lower impact on the climate.

- (b) **Who are its main beneficiaries?** i.e. who will be affected by the policy?

It is primarily aimed at developers, and consequently the occupiers of new development. Developers will be helped by the clarity provided in the SPD as to how the policy in the Local Plan will be implemented.

- (c) **Is this assessment informed by any information or background data?** i.e. consultations, complaints, applications received, allocations/take-up, satisfaction rates, performance indicators, access audits, census data, benchmarking, workforce profile etc.

Before adoption, the draft SPD was subject to public consultation in Autumn 2020.

- (d) Does this policy have the potential to cause a positive or negative impact on different groups in the community, on the grounds of any of the protected characteristics (please tick all that apply):

Ethnicity
Gender

No
 No

Age
Religion or Belief

No
 No

Disability
Gender Reassignment
Pregnancy & Maternity

No
No
No

Sexual Orientation
Marriage & Civil Partnership
Caring Responsibilities

No
No
No

Please explain any impact identified: i.e. What do you already know about equality impact or need? Is there any evidence that there is a higher or lower take-up by particular groups? Have there been any demographic changes or trends locally? Are there any barriers to accessing the policy or service?

There is no apparent reason why any of the different groups as listed above will be particularly affected, negatively or positively, as a result of the SPD

- (e) Does the policy affect service users or the wider community?**
- (f) Does the policy have a significant effect on how services are delivered?**
- (g) Will it have a significant effect on how other organisations operate?**
- (h) Does it involve a significant commitment of resources?**
- (i) Does it relate to an area where there are known inequalities, e.g. disabled people's access to public transport etc?**

NO
NO
NO
NO
NO

If you have answered **YES** to any of the questions above, then it is necessary to proceed with a full equality impact assessment (EIA). If the answer is **NO**, then this judgement and your response to the above questions will need to be countersigned by your Head of Service and then referred to the Council's Equal Opportunities Working Group (EOWG) for scrutiny and verification. Please forward completed and signed forms to the Principal HR Officer.

Signatures:

Completing Officer:	RK	Date:	Jan 2021
Head of Service:	RK	Date:	Jan 2021