

Report of the Portfolio Holder- Economic Development and Asset Management

Low Carbon Supplementary Planning Document1. Purpose of Report

To seek approval to undertake consultation on the Low Carbon Supplementary Planning Document (SPD).

2. Recommendation

Cabinet is asked to RESOLVE that:

1. **To approve the publication of the draft Low Carbon Supplementary Planning Document (SPD) for a period of public consultation.**
2. **To delegate authority to the Head of Planning and Economic Development to approve any minor changes (e.g. presentational, typographical and grammatical) prior to public consultation commencing.**

3. Detail

The Carbon SPD, included in the **Appendix**, is a joint document between Broxtowe and Nottingham City Council and provides detailed guidance on reducing carbon emissions in new developments, supporting policies in the Aligned Core Strategy and Broxtowe Part 2 Local Plan.

This SPD outlines strategies for energy efficiency, use of renewable energy, and sustainable construction, aligning with both councils' climate emergency declarations and carbon reduction goals. The production of an SPD is also one of the strategic aims within the Climate Change and Green Futures Strategy (2023 – 2027).

The SPD elaborates on how new developments can meet low carbon requirements through:

- **Energy and Carbon Reduction:** Strategies include passive design, passive cooling, incorporation of green and blue infrastructure, enhancing building energy efficiency, utilising low-carbon heat sources and technologies, and integrating renewable energy.
- **Sustainable Construction:** Emphasis is placed on the prudent use of materials, including the reuse and recycling of materials, sustainable material selection, reducing embodied carbon, and promoting building reuse and retrofit.

The SPD has been written by Bioregional, specialist sustainability consultants, who have produced similar SPDs for other local authorities. Bioregional are also working with the Greater Nottingham Councils to provide expert advice to inform new low carbon and sustainability policies within the Greater Nottingham Strategic Plan, with the objective of seeking higher standards than is achievable through existing policies.

As this is an SPD, it can only build upon and provide more detailed advice or guidance on policies in the adopted Local Plan. It cannot introduce new planning policies and cannot not add unnecessarily to the financial burdens on development.

Prior to adoption, the draft SPD must be subject to consultation. A six-week formal consultation period will be undertaken in summer 2024, during which notice will be given to interested parties. The results of this consultation will be considered and the draft SPD will be amended if appropriate, before being reported back to Cabinet to be considered for adoption.

The Levelling Up and Regeneration Act (LURA) 2023 introduces Supplementary Plans (SPs), set to replace Supplementary Planning Documents (SPDs) under the new planning system expected in late 2024. SPs will differ from SPDs by covering only specific site-related content and cannot be topic based. If SPDs are not adopted before the new system is implemented, they cannot be formally adopted. Clarification has been requested from The Department for Levelling Up, Housing and Communities on timing and any potential transitional arrangements but they have not been able to provide any. The Councils are therefore working on an accelerated timetable to produce the SPD to ensure it can be adopted within 2024.

4. Key Decision

This report is a key decision as defined under Regulation 8 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 as it impacts on all wards within the Borough.

5. Updates from Scrutiny

Due to the accelerated timetable in production of the SPD, the draft SPD has not been through Policy Overview Working Group. However, the results of the consultation and the relevant amendments which need to be made will be taken to Policy Overview Working Group.

6. Financial Implications

The comments from the Head of Finance Services were as follows:

The decision to enter into a consultation for the Low Carbon Supplementary Planning Document does not have any direct financial implications.

7. Legal Implications

The comments from the Monitoring Officer / Head of Legal Services were as follows:

Whilst there are no direct legal implications arising from this report, the power currently exists to adopt Supplementary Planning Documents to provide more detail and guidance in relation to Local Plan Policies. The Council therefore has the power to release these documents for consultation in accordance with the relevant statutory procedure.

8. Human Resources Implications

The comments from the Human Resources Manager were as follows:

Not applicable

9. Union Comments

The Union comments were as follows:

Not applicable.

10. Climate Change Implications

The comments from the Head of Environment were as follows:

The Low Carbon Supplementary Planning Document (SPD), will play a crucial role in guiding new developments towards meeting low carbon requirements, particularly in addressing the substantial carbon emissions originating from housing stock across the Borough.

Supporting the SPD and the public consultation is important as it represents a significant step towards fulfilling the strategic objectives outlined in the Climate Change and Green Futures strategy. This alignment reinforces our commitment to carbon reduction.

11. Data Protection Compliance Implications

This report does not contain any OFFICIAL(SENSITIVE) information and there are no Data Protection issues in relation to this report.

12. Equality Impact Assessment

Not required.

13. Background Papers

Nil

Appendix

Low Carbon Supplementary Planning Document