

Report of the Portfolio Holder for Economic Development and Asset Management

Reduction of Carbon in New Development Supplementary Planning Document

1. Purpose of Report

To seek approval to adopt the Reduction in Carbon in New Development Supplementary Planning Document (SPD). The SPD seeks to contribute to the Council's Environment Objective of reducing carbon emissions and improving air quality.

2. Recommendation

Cabinet is asked to RESOLVE that the Reduction of Carbon in New Development as a Supplementary Planning Document, be adopted.

3. Detail

Supplementary Planning Documents (SPD) are documents which add further detail to the policies in the Local Plan. They can be used to provide further guidance for development on specific sites, or on particular issues. SPDs are a material consideration in planning decisions but are not part of the statutory development plan.

The Reduction in Carbon in New Development SPD included in **Appendix 1** is a joint document produced in collaboration with Nottingham City Council and provides detailed guidance on reducing carbon emissions in new developments, supporting policies in the Greater Nottingham Aligned Core Strategies and the Part 2 Local Plans. Nottingham City Council adopted the SPD on Tuesday 17th June.

The 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 add unnecessarily to the financial burdens on development.

This SPD was approved for a period of public consultation which ran for six weeks, closing on 30 September 2024. A summary of the consultation comments is provided below along with a Report of Consultation, **Appendix 2** which details each comment made, a response on behalf of the Councils and details of the changes made to the SPD as a result.

A total of 19 consultation responses were received from:

- The Forestry Commission
- Natural England
- National Highways
- Environment Agency
- The Coal Authority (Mining Remediation Authority - MRA)
- Historic England
- Awsworth Parish Council
- Bramcote Neighbourhood Forum
- Chetwynd Neighbourhood Forum
- Pearce Planning (on behalf of Fusion Nottingham Devco Limited)
- Carney Sweeney on behalf of Peveril Securities Limited and Omnivale Pension Scheme
- Pegasus Group Ltd on behalf of Bloor Homes; a
- Two other planning agents
- Four local residents.

As a result of the consultation process several changes have been made to the SPD. These include:

- Added references to Natural England's Green Infrastructure Framework and the GI Planning & Design Guide (paragraph 75) to provide additional resources and guidance on green and blue infrastructure.
- Removed the requirement for third-party audits and required applicants to provide justification for full or partial demolition within the Sustainability and Energy Statement. This change aims to reduce the burden on applicants and clarify the application process.

- Added references to blue roofs, drainage, and sustainable urban drainage systems to emphasise the importance of BGI in flood risk management and urban cooling.
- Added a new paragraph (paragraph 129) to address the impact on the historic environment when assessing renewable energy sources to ensure heritage assets are carefully considered.
- Added reference to considering household energy storage (paragraph 133) to highlight the importance of energy storage in smoothing demand on the grid.
- Included references to considering the use of external movable blinds to maximise internal light while preventing overheating. This provides flexibility in window design and improves natural daylight.
- Added a section on drainage (section 2.9) to address the importance of permeable paving, surface run-off management, and Sustainable Drainage Systems (SuDS).
- Simplified validation requirements to match Council validation checklists and clarified that the level of detail required depends on the type and size of development proposed to ensure consistency and clarity in the application process.
- Removed references to a Council-run fund for carbon offsetting, as the Councils do not currently have such a fund.
- Updated references to the National Planning Policy Framework (NPPF) to the 2024 version to ensure accuracy and clarity.
- Amended best practice text to refer to all buildings rather than just 1 and 2 storey buildings to provide more inclusive guidance.
- Updated the Sustainability Checklist to reflect the existing policy basis of both Councils to ensure alignment with current policies.

It is not anticipated that the guidance set out in the SPD will result in significant viability challenges for development. The SPD is expected to encourage early design thinking, and meeting its requirements will not automatically create additional financial burdens. The SPD provides guidance on existing planning policies and Energy and Sustainability Statements are existing validation requirements for major planning applications in Broxtowe.

Once adopted, the SPD will apply to major and minor planning applications.

4. Key Decision

This is a key decision as it effects communities living or working in an area comprising two or more Wards or electoral divisions in the Council's area.

5. Updates from Scrutiny

Due to the accelerated timetable in production of the SPD, the draft SPD was not reported to Policy Overview Working Group. However, the SPD has been subject to public consultation.

6. Financial Implications

The comments from the Assistant Director Finance Services were as follows:

The decision to adopt the Reduction of Carbon in New Development SPD will have no direct financial implications and will align with the Council's climate change objectives. The SPD is intended to reduce energy demand in new development and, by doing so, lower related costs.

7. Legal Implications

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

The Council as Planning Authority has a power to adopt Supplementary Planning Documents (SPDs) which add more detail and guidance in relation to Local Plan policies and which then become material planning considerations when planning applications are determined.

As with most decisions the adoption of the SPD will be open to legal challenge. **Appendix 2** provides details of each comment made during consultation, and changes made to the SPD as a result to address comments raised.

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 climate change implications are contained within the report.

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

The SPD provides guidance to existing planning policy which has been subject to a separate Equality Impact Assessment as part of its preparation.

13. Background Papers

Nil.