

When telephoning, please ask for: Helen Tambini
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Our reference:
Your reference:
Date: Monday, 3 July 2023

To all Members of the Cabinet

Dear Councillor

A Meeting of the Cabinet will be held on Tuesday, 11 July 2023 at 7.00 pm in the Council Chamber, Rushcliffe Arena, Rugby Road, West Bridgford to consider the following items of business.

This meeting will be accessible and open to the public via the live stream on YouTube and viewed via the link: <https://www.youtube.com/user/RushcliffeBC>
Please be aware that until the meeting starts the live stream video will not be showing on the home page. For this reason, please keep refreshing the home page until you see the video appear.

Yours sincerely



Gemma Dennis
Monitoring Officer

AGENDA

1. Apologies for Absence
2. Declarations of Interest
3. Minutes of the Meeting held on 13 June 2023 (Pages 1 - 6)
4. Citizens' Questions

To answer questions submitted by citizens on the Council or its services.

5. Opposition Group Leaders' Questions

To answer questions submitted by Opposition Group Leaders on items on the agenda.

Rushcliffe Borough
Council Customer
Service Centre

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Opening hours:
Monday, Tuesday and Thursday
8.30am - 5pm
Wednesday
9.30am - 5pm
Friday
8.30am - 4.30pm

Postal address
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Rugby Road
West Bridgford
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NON-KEY DECISIONS

6. Financial Outturn 2022-23 (Pages 7 - 32)

The report of the Director – Finance and Corporate Services is attached.

7. Low Carbon and Sustainable Design Supplementary Planning Document (Pages 33 - 116)

The report of the Director – Development and Economic Growth is attached.

8. Shaw Street Cemetery, Ruddington (Pages 117 - 122)

The report of the Director – Development and Economic Growth is attached.

9. Exclusion of the Public

To move “That under Regulation 21(1)(b) of the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972”.

10. Land Disposal Update (Pages 123 - 128)

The report of the Director – Development and Economic Growth is attached.

Membership

Chair: Councillor N Clarke

Vice-Chair: Councillor A Brennan

Councillors: R Inglis, R Upton, D Viridi and J Wheeler



Rushcliffe
Borough Council

Meeting Room Guidance

Fire Alarm Evacuation: In the event of an alarm sounding please evacuate the building using the nearest fire exit, normally through the Council Chamber. You should assemble at the far side of the plaza outside the main entrance to the building.

Toilets: Are located to the rear of the building near the lift and stairs to the first floor.

Mobile Phones: For the benefit of others please ensure that your mobile phone is switched off whilst you are in the meeting.

Microphones: When you are invited to speak please press the button on your microphone, a red light will appear on the stem. Please ensure that you switch this off after you have spoken.

Recording at Meetings

The Openness of Local Government Bodies Regulations 2014 allows filming and recording by anyone attending a meeting. This is not within the Council's control.

Rushcliffe Borough Council is committed to being open and transparent in its decision making. As such, the Council will undertake audio recording of meetings which are open to the public, except where it is resolved that the public be excluded, as the information being discussed is confidential or otherwise exempt

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MINUTES OF THE MEETING OF THE CABINET

TUESDAY, 13 JUNE 2023

Held at 7.00 pm in the Council Chamber, Rushcliffe Arena,
Rugby Road, West Bridgford
and live streamed on Rushcliffe Borough Council YouTube channel

PRESENT:

Councillors N Clarke (Chair), A Brennan (Vice-Chair), R Inglis, R Upton, D Viridi and J Wheeler

ALSO IN ATTENDANCE:

Councillors Birch, Ellis and J Walker

OFFICERS IN ATTENDANCE:

L Ashmore	Director of Development and Economic Growth
G Dennis	Monitoring Officer
P Linfield	Director of Finance and Corporate Services
K Marriott	Chief Executive
H Tambini	Democratic Services Manager

Councillor Clarke referred to the recent devastating, tragic events that had taken place in Nottingham city centre earlier today and stated that he was sure that everyone would join with him in sending sincere condolences and thoughts to everyone involved, and specifically the three people who had died, and those who have been injured, and he called for a moment of reflection.

1 Declarations of Interest

There were no declarations of interest.

2 Minutes of the Meeting held on 14 March 2023

The minutes of the meeting held on Tuesday, 14 March 2023 were agreed as a true record and were signed by the Chair.

3 Citizens' Questions

Question from Mr Jon Greenwood to Councillor Viridi. Mr Greenwood was unable to attend the meeting, so his question was read out by the Chair.

“Having read the minutes from April it is unclear how much of the Council budget goes towards the cost of energy. Please can you confirm the annual total of the budget that is spent on electricity and gas, what the total was three years previously and what steps have been taken to reduce future consumption?”

Councillor Virdi responded by stating that the 2023/24 budget for gas was £132,500 (£34,900 in 2020/21) and electricity £475,700 (£98,500 in 2020/21). There were a number of reasons for this not least recent significant price increases, and also the newly opened crematorium. The Council had a Carbon Reduction Plan and was actively using alternative energy sources such as solar panels on its buildings, heat pumps at its leisure centres and on its own estate the use of electrical charging points for vehicles.

4 **Opposition Group Leaders' Questions**

Question from Councillor Birch to Councillor Brennan.

“Bingham, East Leake, Fairham, Radcliffe on Trent, and West Bridgford all have huge potential for improvement. Does the Cabinet believe that the Growth Boards are achieving enough positive outcomes for residents?”

Councillor Brennan responded by stating that as the report to Cabinet to be considered later this evening outlined, the Growth Boards first started meeting in 2015 and had been reviewed twice since then, and with the impact of Covid and the current cost of living pressures it was timely to review the Boards again, to ensure that they were for purpose. It was always intended for the Boards to be action focused to ensure they delivered outcomes, and as the report set out, it was considered that they had achieved a great deal. Councillor Brennan highlighted some including:

- Brilliant Bingham Masterplan
- Radcliffe on Trent Economic Masterplan
- Retail reviews in all Growth Boards areas to help inform action plans and areas of focus
- Engagement of Severn Trent Water in East Leake
- West Bridgford Commissioners report and supporting action plan
- Establishment of West Bridgford Way website
- Shop Front Improvement Grant scheme providing financial support to approximately 30 high street businesses
- High Street Digital Grant
- Public realm and Grange grounds improvements in Radcliffe on Trent
- Appointment of a Town Centre Manager to deliver events.

Councillor Brennan advised that subject to Cabinet approval this evening, the plan would be to engage with those who had been involved in Growth Boards to get their views on their effectiveness and ideas for the future. Engagement with other relevant stakeholders would take place, including Ward Councillors, who might not have been previously involved. The intention was to take a report to Growth and Development Scrutiny Group in October, so members had the opportunity to consider some options.

Councillor Brennan referred to the question posed and stated that she could not address the issue of what huge potential for improvement there was, as the question did not clarify what specific area it was talking about. However, it was vital that the Growth Boards remained effective, some might have run their course, and new ones might be required, so a review was necessary to ensure

that they continued to deliver positive outcomes for residents.

Councillor Birch asked a supplementary question to Councillor Brennan.

“Do you think it is acceptable that Bingham’s residents still do not have adequate parking provision considering that it was identified as the primary problem in Bingham in the 2018 Bingham Masterplan?”

Councillor Brennan responded by stating that there were many reasons why the parking issues had yet to be resolved, as the situation was very complex, and the Growth Board only formed a small part of that. It was essential that this parking was delivered, with all partners playing a full role, and it was hoped as part of the new Action Plan that this would be achieved.

5 **Process for Developing the Corporate Strategy 2023-2027**

The Cabinet Portfolio Holder for Strategic and Borough-wide Leadership, Councillor Clarke, presented the report of the Chief Executive, which outlined the process for developing the Corporate Strategy for 2023-2027.

Before presenting the report, Councillor Clarke referred to recommendation a) and stated that it should say 2023-2027, rather than 2019-2023 as written in the report. Cabinet was advised that this was the start of the process, which would include extensive discussion and consultation. Councillor Clarke referred to recommendation b), which asked Cabinet to recognise performance against the Corporate Strategy and highlighted four big Council projects; the Chapel Lane site being delivered in Bingham, which included the Leisure Centre and the very successful Business Centre; the Crematorium; the support offered by the Council with the post Covid recovery; and the successful relocation of Streetwise. In conclusion, Councillor Clarke referred to recommendation c) and stated that it was important that scrutiny was involved in having an input into the policy development of the Corporate Strategy, with the Corporate Overview Group having the opportunity to look at the draft document before being submitted to Cabinet.

In seconding the recommendation, Councillor Brennan welcomed both the paper and the process outlined and referred to paragraph 4.5 of the report, which highlighted the various ways that stakeholders, customers, clients, and partners would be engaged with to create an inclusive, strategic plan going forward. Councillor Brennan was pleased that a variety of different media formats would be used to engage with everyone and that the Corporate Overview Group would be reviewing the document too.

It was RESOLVED that:

- a) the proposed approach to developing the Council’s Corporate Strategy 2023-2027 be endorsed;
- b) performance against the Corporate Strategy 2019-2023 be recognised; and
- c) the Corporate Overview Group be requested to input into the

development of the Corporate Strategy and review a draft before it returned to Cabinet.

6 Rushcliffe Growth Boards Review Process

The Cabinet Portfolio Holder for Business and Growth, Councillor Brennan, presented the report of the Director – Development and Economic Growth, which outlined the process for reviewing the Rushcliffe Growth Boards.

Councillor Brennan referred to the history of the Growth Boards as highlighted in the report and confirmed that it was now timely to review them to ensure that they remained fit for purpose. Cabinet noted that the report set out the proposed process for that review, some background information, including the original objectives, work already undertaken and the proposed next steps. The impact of the Covid pandemic had been significant on all aspects of life, and the impact of housing growth in many areas had also been keenly felt, and Councillor Brennan stated that it was right to review the existing structure, membership, and objectives, to ensure that they would deliver going forward. Details of the background to the setting up of the Boards, and the makeup of the Boards themselves were highlighted in paragraph 4.1 onwards of the report. Councillor Brennan advised that the remit and focus of each of the Boards varied slightly depending on identified priorities for each particular area; however, the overarching priority was to proactively plan and manage growth, to maximise opportunities and to look at the impacts on local infrastructure. Paragraph 4.15 of the report highlighted key achievements over the past eight years. Cabinet noted that membership of the local Boards was largely similar as detailed in paragraphs 4.12 and 4.13 of the report. Councillor Brennan referred to the difficulty in securing business representation in many cases, and that an important element of the review would be to try to understand the reasons for that and address them. Paragraph 4.16 of the report detailed the context for the Growth Boards going forward, including UKSPF funding and the East Midlands Airport development, together with the creation of some new community groups.

In conclusion, Councillor Brennan stated that it was important to consider the views of the many stakeholders involved over the past eight years, and subject to Cabinet's approval, future options would be considered by the Growth and Development Scrutiny Group, before coming back to Cabinet later in the year.

In seconding the recommendation, Councillor Upton stated that as the former Chair of the West Bridgford Growth Board, and a current member of the Ratcliffe on Trent Growth Board, he considered that they had achieved a great deal by working in partnership. Councillor Upton agreed that there had been considerable change, which continued, and it was appropriate to review them to ensure that they were fit for purpose and in the right areas.

Councillor Clarke agreed that it was important to check that the Boards had the correct focus and were fit for purpose.

Councillor J Wheeler reiterated the comments made by Councillor Upton and stated that as a long serving member of the West Bridgford Growth Board, he had seen the impact that the Growth Boards had had across the Borough, and

it was pleasing to see new businesses opening and thriving in many areas. Cabinet was reminded that this would not be the first review; however, having scrutiny involvement highlighted the commitment to seeking wider views, to ensure that the Boards continued to be fit for purpose and that the strategic sites across the Borough had the maximum impact for residents.

Councillor Clarke stated that when the Boards were first established, the idea was that they would be streamlined to ensure that work was completed.

It was RESOLVED that:

- a) the work of the Growth Boards be endorsed to date;
- b) the proposal to take a report to Growth and Development Scrutiny Group to review options and identify a new approach be adopted; and
- c) a further report be brought to Cabinet in November 2023, detailing the outcome of the review and the Scrutiny Group discussions.

7 LGA Debate Not Hate Campaign

The Cabinet Portfolio Holder for Transformation, Leisure and Wellbeing, Councillor J Wheeler, presented the report of the Monitoring Officer, which set out the Local Government Association's Debate Not Hate Campaign.

Councillor Wheeler stated that the purpose of the campaign was not only to highlight the issue of abuse being directed towards councillors but to propose measures to help combat the abuse and to put in place more support. Councillor Wheeler considered that this would be a benefit for councillors and provide support for future candidates, who might be put off standing for election at all levels after seeing abuse taking place without any consequences and referred to the hard work of officers in supporting councillors, which was appreciated.

In seconding the recommendation, Councillor Inglis stated that it was pleasing that this widespread problem had been researched and challenged by the Local Government Association with this campaign statement aimed at protecting all councillors from unacceptable behaviour. Such behaviour was widespread from extreme instances such as the murder of MPs, to snide comments and personal attacks, particularly on social media platforms. The suggestion of a specialist single point of contact should be investigated, and Councillor Inglis was confident that locally there was already excellent Police support in place, if required. Cabinet was reminded that fortunately concerns were at the lower end of the scale in Rushcliffe; although that should not make anyone complacent. Councillor Inglis concluded by imploring social media site providers to follow this example.

Councillor Upton stated that it was great to share different opinions and have a democracy to express them without becoming abusive, and it was hoped that this campaign would help, as overall things appeared to be getting worse, which was a shame.

It was RESOLVED that Cabinet recommends that Council endorses and supports the Local Government Association (LGA) campaign by signing the online LGA Debate not Hate public statement.

The meeting closed at 7.25 pm.

CHAIR



Cabinet

Tuesday, 11 July 2023

Financial Outturn 2022/23

Report of the Director – Finance and Corporate Services

Cabinet Portfolio Holder for Finance, Councillor D Virdi

1. Purpose of report

- 1.1. The purpose of this report is to outline the year-end financial outturn position for 2022/23, linked to the closure of accounts process and previous financial update reports.
- 1.2. To summarise, the revenue budget has an overall revenue efficiency position of £2.081m and the Capital Programme overall underspend position of £5.599m. Much of the efficiency position for revenue is required for service demand in 2023/24 or to meet other risks and therefore an appropriation to earmarked reserves. The capital underspend is largely being carried forward for the completion of existing projects.
- 1.3. The overall financial working environment remains challenging. Despite this, the draft Statement of Accounts has been prepared and published on 31 May 2023 in accordance with statutory deadlines.

2. Recommendation

It is RECOMMENDED that Cabinet:

- a) notes the 2022/23 revenue position and efficiencies identified in **Table 1**, the variances in **Table 2** (and **Appendix A**) and approves the carry forwards and appropriations to reserves in **Appendix E**;
- b) approves the other changes to the earmarked reserves as set out at **Appendix B**;
- c) notes the re-profiled position on capital and approves the capital carry forwards outlined in **Appendix C** and summarised in **Appendix F**; and
- d) notes the update on the Special Expenses outturn at paragraph 4.20 and in **Appendix D**.

3. Reasons for Recommendations

To accord with good financial governance and the Council's Financial Regulations.

4. Supporting Information

4.1 The Council is required to categorise its income and expenditure as either revenue or capital. The General Fund account deals with the Council's revenue income and expenditure, where spend is incurred on day to day expenditure or on items used within the year. Capital income and expenditure is included in the Capital Programme. The Financial Outturn, for both Revenue and Capital, is presented below.

Revenue Outturn

4.2 The net revenue position in Table 1 below shows a transfer from reserves of £2.658m (originally planned to be a transfer from reserves of £3.465m (adjusted to £4.739m largely reflecting carry forward commitments from 2021/22) a net reduction of £2.081m.

4.3 When setting the budget for 2022/23, an estimated increase for inflation and pay was included; however, it was not anticipated that inflation levels would peak at 11.1% and that consequently this would result in a higher than anticipated pay award. Revenue budget efficiencies from 2021/22 were carried forward to support these cost pressures. During 2022/23, the Council has continued to closely monitor the budget position, particularly on utilities and where possible identify efficiencies that may help in balancing the increased costs.

4.4 The table below shows a positive outcome in a volatile economic environment. The cost of living pressures not only impact on the Council's residents but also on the Council budget and this remains challenging. Prudently the Council allocated additional budget to mitigate potential increases in costs and reductions in income and has continued to identify service efficiencies during the year. A number of transfers were agreed by Cabinet on 14 March 2023, which are included in the final carry forward request totalling £0.502m shown in **Appendix E**.

Table 1: Revenue Outturn Position

	Original Budget £'000	Revised Budget £'000	Revised Outturn £'000	Revised Variance £'000
Chief Executive	2,021	2,137	2,136	(1)
Development and Economic Growth	(112)	638	418	(220)
Finance & Corporate	4,330	4,204	3,546	(658)
Neighbourhoods	6,949	7,759	8,068	309
Sub Total	13,188	14,738	14,168	(570)
Capital Accounting Reversals	(1,895)	(1,895)	(1,895)	0
Minimum Revenue Provision	1,293	1,017	1,017	0
TOTAL NET SERVICE EXPENDITURE	12,586	13,860	13,290	(570)
Grant Income (including New Homes Bonus)	(1,861)	(1,861)	(2,450)	(589)
Business Rates (including SBRR)	(3,958)	(3,958)	(4,879)	(921)
Council Tax	(7,667)	(7,667)	(7,667)	0
Collection Fund Deficit	4,365	4,365	4,364	(1)
TOTAL FUNDING	(9,121)	(9,121)	(10,632)	(1,511)
Net Transfer to/(-)from Reserves	(3,465)	(4,739)	(2,658)	2,081

Carry forward requests (Appendix E)				(502)
Reserves required				(1,579)
Net Surplus after c/fwds and reserve transfers				0

- 4.5 Along with in-year efficiencies, the position on utilities was better than anticipated and has helped with the overall net efficiency position of £2.081m in 2022/23. The main revenue variances are shown in **Table 2** (with more detail at **Appendix A**) some of which are requested to be carried forward. Adverse variances include additional cost pressures from Agency spend (mostly Planning and Refuse) £0.48m and reduced income from the delay in opening of Bingham Arena £0.213m and Rushcliffe Oaks £0.284m. Positive variances include Nottinghamshire Business Rates Pool surplus £0.726m (plus some Business Rates growth £0.192m), additional Government grants £0.589m and increased interest rates on Council treasury investments £0.466m (due to rising interest rates).
- 4.6 The delay in the opening of Bingham Arena and Rushcliffe Oaks have resulted in a negative variance of £0.213m and £0.284m respectively in anticipated income receipts. The delays were due to factors outside of the Council's control. Despite the impact of both Covid and rising inflation, both were delivered within budget which is a remarkable achievement and testament to excellent project management.
- 4.7 The Council has reported a reduction in the capital value of some of the Council's Treasury Investments as a result of the Covid pandemic, this was followed closely by the war in Ukraine and cost of living pressures, which also had a negative impact on the value of the assets. As at 31 March 2023, the value of the investments shows an overall decrease in value of £1.456m. This movement has been debited to the revenue account in accordance with statute and reversed through reserves and therefore does not affect the bottom-line revenue position. Movement in value is expected for assets held over a long period and they can fluctuate in response to market conditions, as we have experienced recently. The statutory override (allowing the reversal of price fluctuations through reserves) has been extended by Government to 31 March 2025, after which any movements will affect the General Fund. In order to mitigate any potential impact on the General Fund after March 2025, it is proposed to appropriate £0.773m to reserves along with £0.2m approved from 2021/22 efficiencies and £0.2m approved in the Medium Term Financial Strategy (MTFS) March 2023 (total reserve £1.173m). The position will be closely monitored and if necessary recommendation to withdraw from the funds will be reported to Cabinet and Governance Scrutiny Group as part of ongoing monitoring of the Council's Treasury Management position.

Table 2: Main Items Impacting on the Current Revenue Budget

	Main Variances	£'000
Adverse Variances		
Net employee expenses	Agency spend on planning and waste net of salary savings	480
Crematorium	Delay in opening	284
Bingham Leisure Centre	Delay in opening	213
Fleet	Repairs	102

Total		1,079
Favourable Variances		
Planning income	Increase in income	(275)
Edwalton Golf Course	Additional income generated and actual outturn was £62k profit	(97)
Growth Board	to be carried forward	(136)
Website development	to be carried forward	(80)
Contingencies	Utilities not fully required	(90)
Investment income	Rising interest rates	(466)
Total		(1,144)
Other minor variances		(505)
Total Variances		(570)

Business Rates and Council Tax

- 4.8 The Council ensured that applicable Business Rates reliefs were applied, resulting in 2044 businesses benefitting from over £8.7m of additional rates relief.
- 4.9 The Council has also administered a number of grants for Energy Rebates and Alternative Fuel Payments during the year. 36,755 £150 Energy Rebates were distributed to eligible households along with 4,713 payments of Discretionary Energy Rebates, the combined total of the awards being £5.644m. Since February 2023, the Council has also assessed and distributed grants under the Energy Bills Support Scheme and the Alternative Fuel Payments, awarding 513 payments totalling £0.171m.
- 4.10 Full Council on 2 March 2023, approved use of 2022/23 efficiency savings to supplement the Government funding for Council Tax Support to further discount Council Tax bills meaning no increase for vulnerable households and households in bands A to D. The net cost of the scheme to the Council is £33k and is included in Reserve Commitments in **Appendix E**.

UKSPF

- 4.11 The UK Shared Prosperity Fund (UKSPF) provides funding for investment in local projects to be spent by March 2025. The Rural England Prosperity Fund (REPF) is an addition to the UKSPF and is to specifically address the particular challenges rural areas face. The Council will receive £2.571m over three years (capital and revenue funding) for investment in local projects and £0.596m Rural England Prosperity Fund (this is capital only). Schemes have commenced on both communities and place and business support projects. A grant funding pot for local organisations and local businesses was launched with applications closing on 19 May for projects to be delivered by the end of March 2024. Once projects are finalised these will be incorporated into the Council's budget and monitored through usual financial reporting.

Streetwise

- 4.12 On 1 September 2022, the Council brought back in-house its Street Cleansing and Grounds Maintenance functions to improve the service for Council residents and to drive forward efficiencies over the coming years. The net outturn position

for 2022/23 gives an adverse variance of £0.189m largely due to the additional costs pressures of pay and inflation. Quarterly revenue reports will now incorporate Streetwise, and budgets will therefore be monitored through the Council's normal financial and performance reporting processes.

Rushcliffe Oaks Crematorium and Bingham Arena and Enterprise Centre

- 4.13 The Council recently completed two major projects; the new Rushcliffe Oaks Crematorium situated in open countryside between Cotgrave and Radcliffe on Trent (opened on 3 April 2023) and the multi million pound Bingham Arena and Enterprise Centre, comprising the leisure centre, Bingham Jubilee Community Hall and Bingham Enterprise Centre (opened on 20 February 2023). Both facilities are contributing to the Council's carbon net neutral target for 2030, with significant investment in new technology including an electric cremator and various other energy saving initiatives to deliver low CO2 emissions giving 85% and 78% reductions respectively. There has been a positive reaction to the Bingham Arena with memberships in line with targets, to date and we have secured 92% occupancy at the Enterprise Centre. The team is working hard to develop relationships with funeral directors and the feedback on Rushcliffe Oaks has been excellent, and, positively, the facility is attracting customers and funeral directors from outside the Borough.

Planning

- 4.14 Recruitment to the planning sector has nationally been challenging and Rushcliffe is no exception, and the Council has relied heavily upon agency staff. However, all substantive posts are now filled and consequently the reliance upon agency should reduce over the coming months.

Reserves

- 4.15 There are a number of movements in revenue reserves largely agreed as part of the budget setting process and budget monitoring for 2022/23. A net transfer from earmarked reserves of £3.901m comprises: £2.658m transferred from reserves to revenue plus £1.243m reserves used for capital. The overall net movement on revenue reserves are detailed at **Appendix B**. The key points to note are:
- There are a number of 'transfers out' or use of reserves totalling £8.767m including: £1.017m from the New Homes Bonus (NHB) reserve (used to offset the Minimum Revenue Provision (MRP)); £2.466m out from the Organisation Stabilisation Reserve; and £3.707m appropriated to meet the collection fund deficit.
 - There are a number of 'transfers in' totalling £4.866m that increases reserves. Significant items comprise: £1.587m NHB receipts; £1.108m net efficiencies to cover carry forward and reserve commitments; and transfer of £0.973m to the Treasury Capital Depreciation Reserve approved as part of Quarter 3 revenue reporting.

Specific Reserves

4.16 Commentary on earmarked reserves:

- The NHB Reserve balance of £9.549m is used to fund internal borrowing in relation to capital projects.
- The Collection Fund Reserve balance of £1.438m is earmarked for: prior year deficits; risks associated with the decommissioning of the Ratcliffe-on-Soar Power Station; and pending reforms to the Business Rates system.
- The Organisation Stabilisation Reserve Balance of £2.636m will partly be used to fund the carry forward requests of £0.502m (Appendix E). This includes the ongoing impact of cost of living and inflation increases.
- The Climate Change Reserve (£0.329m) has been topped up by £0.2m in 2022/23 and it continues to contribute to the Council's ambitions to become carbon neutral. During 2022/23 the Council has delivered projects at Bingham Arena and the Crematorium (both of which incorporate energy efficiency and carbon reduction measures) and energy efficiency lighting and Local Authority Delivery (LAD) green energy grants; however, as these projects were fully funded by grants there is no recourse to draw from the reserve in 2022/23. Projects currently in the pipeline include energy efficiency measures to Council assets and electric vehicles and decarbonisation of Cotgrave Leisure Centre (grant funded).
- Treasury Capital Depreciation Reserve is a new reserve in 2022/23 and will be used to mitigate risk if reductions in the capital value of the Council's Treasury Investments materialise (see paragraph 4.7).

4.17 Overall, whilst the level of Earmarked Reserves is a healthy £19.674m, there are risks going forward in terms of the continuing financial pressures from inflationary and pay increases, uncertainty regarding Fairer Funding and Business Rates systems, and further reductions and commitments from reserves to capital projects. This includes the repayment of internal borrowing for the Arena and Cotgrave Masterplan, which was reliant on NHB receipts, and these are anticipated to cease at the end of 2023/24. The General Fund balance of £2.604m accords with the Council's approved MTFS.

Revenue carry forward requests and Reserve Commitments

4.18 Despite continuing difficult economic circumstances firstly from the pandemic and more recently inflation increases, the Council continues to invest and grow the Borough, developing a new leisure centre and Crematorium, improving its parks and recreational facilities, and improving the way customers interact with us with a new website. Requests for the use of reserves in 2023/24 (from 2022/23 efficiencies) to support continuing cost pressures and delivery of the Council's priorities are shown in **Appendix E**.

Capital

- 4.19 The year-end Capital Programme provision totalled £21.018m (see Table 3 and Appendix C). Actual expenditure in relation to this provision totalled £15.419m (73% of the budget) giving rise to a variance of £5.599m, £5.426m of which is recommended to be carried forward. £3.106m relates to delays in Bingham Arena and the Crematorium and the decision to defer smaller schemes which would pose no immediate Health and Safety risk. Both Bingham Arena and the Crematorium opened in Spring 2023 and are undergoing post opening enhancements.

The main variations are as follows:

- Bingham Arena and Offices £1.563m underspend requested to be carried forward. £0.730m is earmarked to cover post opening enhancements with any saving to be released in 2023/24.
-
- The Crematorium £1.273m carry forward is requested for final ancillary works and any post opening enhancements identified.

A summary of the main variances can be found in **Appendix E and F** including savings of £179k, overspends of £6k, budget acceleration of £20k and a net carry forward request of £5.426m. Details of all variances can be found in **Appendix C**

Table 3: Capital Summary

EXPENDITURE SUMMARY	Current Budget £000	Actual £000	Variance £000
Development and Economic Growth	14,432	11,341	(3,091)
Neighbourhoods	6,114	3,944	(2,170)
Finance & Corporate Services	363	134	(229)
Contingency	109	0	(109)
	21,018	15,419	(5,599)
FINANCING ANALYSIS			
Capital Receipts	(6,551)	(4,386)	2,165
Government Grants	(3,045)	(2,702)	343
Use of Reserves	(789)	(1,243)	(454)
Grants/Contributions	(9)	(5)	4
Section 106 Monies	(1,374)	(83)	1,291
Borrowing	(9,250)	(7,000)	2,250
	(21,018)	(15,419)	5,599
NET EXPENDITURE	-	-	-

- 4.20 **Appendix D** shows the Outturn position on the **Special Expenses** budget. Budgets within the Special Expenses area are also exposed to cost of living risks as utilities costs increase and income from facility hire could reduce, as

household disposable income falls. The Special Expenses outturn budget deficit for West Bridgford is £0.018m. The total net deficit in the notional West Bridgford Fund as at 31 March 2023, is £0.138m comprising of an opening deficit of £0.120m and the in year deficit of £0.018m. The budgets are set using estimates and the timing of expenditure can result in variances against the budget and has resulted in the £0.018m deficit. The budget going forward will aim to ensure deficits are recovered.

Financial Outturn Conclusion

- 4.21 The financial impact of inflation has, through prudent budgeting been maintained within resources without the need to draw on reserves. Inflation is expected to reduce during the year; however, there still remains a risk to both Council expenditure and to income receipts as household income contracts. The Council has to balance the need to balance the budget with supporting residents during this difficult period. The Comprehensive Spending Review and both the Business Rates revaluation and the Fairer Funding reviews (which have already been delayed three times) are now unlikely to take place before 2024/25, which adds a further level of uncertainty and risk making financial planning even more challenging.
- 4.22 The Council continues to drive efficiency and innovation and the Transformation Plan incorporates projects over the medium term that continually challenge Council processes.
- 4.23 The current reserves balance is healthy, and this is necessary to insulate the Council against significant financial risks and enable the Council to deliver its corporate priorities, to improve services and invest and grow the Borough. Reserve levels have been critical in ensuring the Council has continued to deliver services through both the Covid pandemic and the cost of living pressures. However, we should not be complacent as reserves are a finite resource and, with unknown challenges on the horizon and the need to maintain the Council's assets, the reserves could quickly diminish.
- 4.24 The year-end Financial Statements are subject to audit by Mazars and will be considered by the Governance Scrutiny Group in September 2023.

5. Alternative options considered and reasons for rejection

There are no other options identified, subject to the views of Cabinet.

6. Risks and Uncertainties

- 6.1 Failure to comply with Financial Regulations in terms of reporting on both revenue and capital budgets could result in criticism from stakeholders, including both Councillors and the Council's external auditors.
- 6.2 The transfer of the net surplus to reserves will support the creation of the Treasury Capital Deprecation Reserve and carry forward of budget efficiencies will assist the Council to meet its priorities to support and grow the Borough.
- 6.3 Changes in Central Government policy influences Business Rates received and their timing, for example policy changes on small Business Rates relief. There

is also a risk from Government reform although as mentioned this is unlikely before 2024/25.

- 6.4 There is a continued risk from inflation to expenditure the Council incurs such as fuel and utilities but also on income from fees and charges. This is being closely monitored and if necessary included in our normal financial reporting arrangements to Cabinet and Corporate Overview Group.
- 6.5 Recruitment continues to be challenging in the sector and this increases the pressure on the pay budgets and agency costs and the ability to deliver high quality services.
- 6.6 The Council needs to be properly insulated against such risks hence the need to ensure it has a sufficient level of reserves, as well as having the ability to use reserves to support projects where there is 'upside risk' or there is a change in strategic direction. The Council continues to ensure it is financially resilient at this most difficult of times.

7. Implications

7.1. Financial Implications

Financial implications are contained within the body of the report.

7.2. Legal Implications

There are no direct legal implications arising from this report.

7.3. Equalities Implications

There are no direct equalities implications arising from this report.

7.4. Section 17 of the Crime and Disorder Act 1998 Implications

There are no direct Crime and Disorder implications arising from this report.

8. Link to Corporate Priorities

Quality of Life	The budget resources the Corporate Strategy and therefore resources all Corporate Priorities.
Efficient Services	
Sustainable Growth	
The Environment	

9. Recommendation

It is RECOMMENDED that Cabinet:

- a) notes the 2022/23 revenue position and efficiencies identified in Table 1, the variances in Table 2 (and **Appendix A**) and approves the carry forwards and appropriations to reserves in **Appendix E**;

- b) approves the other changes to the earmarked reserves as set out at **Appendix B**;
- c) notes the re-profiled position on capital and approves the capital carry forwards outlined in **Appendix C** and summarised in **Appendix F**; and
- d) notes the update on the Special Expenses outturn at paragraph 4.20 and in **Appendix D**.

For more information contact:	Peter Linfield Director – Finance and Corporate Services 0115 914 8439 plinfield@rushcliffe.gov.uk
Background papers Available for Inspection:	Council 3 March 2022 – 2022-23 Budget and Financial Strategy; Cabinet October 2022 – Revenue and Capital Budget Monitoring Q1 Cabinet December 2022 – Revenue and Capital Budget Monitoring Q2 Cabinet March 2023 – Revenue and Capital Budget Monitoring Q3
List of appendices:	Appendix A – Revenue Variance Explanations Appendix B – Movement in Reserves Appendix C – Capital Variance Explanations Appendix D – Special Expenses Position Appendix E – Carry forward and reserve commitments Appendix F – Summary Capital carry forwards

Revenue Variance Explanations (over £25k)

Service	Income / Expenditure Type	Reason	Outturn Variance £'000
Business Support Unit	Supplies & Services	Increased costs including energy rebate payments which required premium tracked delivery (additional grant income £56k offsets)	90
Community Development	Income	Rushcliffe Country Park backdated VAT (£33k)	42
Crematorium	Income	Delay in opening date resulting in reduced income	284
Depot & Contracts	Employee Expenses	Overspend on agency to cover sickness and vacancies offset by salary savings	111
Depot & Contracts	Income	Bingham delay in opening loss on leisure contract income	213
Streetwise	Employees expenses and supplies and services	Inflation and pay pressure and reduction in external contracts	189
Depot & Contracts	Transport Related	Increased spend on tyres and repairs	157
Planning	Employee related	Increased use of agency due to recruitment issues partially offset by salary savings and additional income	239

Revenues & Benefits	Net Income	Increased benefit payments offset by housing benefits subsidy grant from Government	35
Property	Income	Rent income down due to Bingham offices delay	76
TOTAL ADVERSE VARIANCES > £25k			1,436

Revenue Variance Explanations (over £25k)

Service	Income / Expenditure Type	Reason	Outturn Variance £'000
Building Control	Third Party Payments	Savings on partnership with South Kesteven	(34)
Business Support Unit	Employee Expenses	Salary savings due to restructure and vacancies	(37)
Communications & Customer Services	Supplies & Services	Website funded from capital	(70)
Depot & Contracts	Income	Increase income: Edwalton golf course £97k, car parking £50k and tanker services £29k	(176)
Depot & Contracts	Supplies & Services	Less bins purchased than budgeted	(42)
Depot & Contracts	Transport Related	Additional budget added from contingency for diesel price increase not fully required	(39)
Economic Development	Supplies & Services	£136k Growth Board £48k saving on WBTC accessibility study now funded from UKSPF, £38k savings on Development Corporation	(223)
Financial Services	Income	Larger investment balances and higher interest rates	(484)

Service	Income / Expenditure Type	Reason	Outturn Variance £'000
Financial Services	Supplies & Services	Original contingency not required due to utilities spend less than anticipated	(90)
Legal	Supplies & Services	Expenditure on external legal provision due to staffing changes less than expected	(26)
Planning	Income	Increased planning fees	(197)
Planning	Supplies & Services	Underspend on local plans	(78)
Property Services	Premises	Underspend on utilities than additional budget provided	(144)
Strategic Housing	Income	Additional Homelessness funding	(78)
TOTAL FAVOURABLE VARIANCES > £25k			(1,718)
OTHER MINOR VARIANCES			(288)
TOTAL VARIANCE			(570)

Movement in Reserves

Movement in Reserves	Balance at 31.03.22	Transfers in	Transfers out	Balance at 31.03.23	Transfers in notes	Transfers out notes
	£000	£000	£000	£000		
Investment Reserves						
Regeneration and Community Projects	1897	223	(7)	2113	£58k Special Expenses Annuity Charges; £75k in year transfer for WB Play Areas Capital; £20k to Sinking Fund Hook Skatepark; £20k to sinking fund RCP skate park; £50k to sinking fund Gresham pitches	Transfer out for Boundary Road and Alford Road works
Council Assets and Service Delivery	0	0	0	0		
Investment Properties	426	325	(203)	548	To reserves from Investment Properties income	Tfr out to cover works at the Point and Colliers Business Park
New Homes Bonus	8,979	1,587	(1,017)	9,549	Receipt in year	£1.017m to offset the impact of MRP
Corporate Reserves						
Organisation Stabilisation	3,994	1,108	(2,466)	2,636	£1.108m from in-year efficiencies to meet c/f and reserve appropriations	£846k budgeted general fund deficit plus £1420k agreed carry forwards cabinet 2022 and £200k trf to TM reserve

Movement in Reserves	Balance at 31.03.22	Transfers in	Transfers out	Balance at 31.03.23	Transfers in notes	Transfers out notes
Climate Change	800	200	(671)	329	Top up	Utilised for heat pump and Bingham Hub
Treasury Capital Depreciation Reserve	0	973	0	973	Creation of reserve from £200k 22/23 OS balance from underspends and £773k from in-year	
Collection Fund S31 Reserve	5,145	0	(3,707)	1,438		Planned release of grant to cover deficit in collection fund arising from additional reliefs in 21/22
Freeport and Development Corporation	330	200	(165)	365	Top up to reserve in relation to the Freeport	Transfer to revenue to cover expenditure incurred
Risk and Insurance	100	0	0	100		
Planning Appeals	349	0	0	349		
Elections	151	50	0	201	Agreed in year top-up of reserve	
Operating Reserves						
Planning	300	0	(169)	131		Budgeted transfer
Leisure Centre Maintenance	104	15	(62)	57		
Planned Maintenance	0	0	0	0		
Vehicle Replacement Reserve	1,000	185	(300)	885	Top up for Streetwise vehicle replacement reserve	Acquisition of vehicle and plant from Streetwise
TOTAL	23,575	4,866	(8,767)	19,674		
General Fund Balance	2,604			2,604		

Capital Programme Summary March 2023

	Original Budget £000	Current Budget £000	Actual YTD £000	Variance £000	Carry fwd (C)/ Saving (S)/ Overspend (O)/ Acceln (A)	Notes
DEVELOPMENT AND ECONOMIC GROWTH						
Quantock Grove Public Open Space		15	34	19	A/S	Works expedited £20k provision in 23-24 programme to accelerate £1k saving
Unit 10 Moorbridge Enhancements		50	54	4	O	Enhancements works complete to accommodate SEL in-sourcing. Additional works/kit required identified. Minor overspend.
Manvers Business Park Enhancements	300	0	0	0		Works re-profiled to 23/24. May be cost pressures on resources/materials.
Colliers BP Enhancements	0	8	8	0		
Traveller Site Acquisition	1,000	0	0	0		A grant application was made for costs totalling £1.914m with 50% funding £957k. The grant was not approved so this year's provision removed pending further investigation of other funding availability. The draft capital programme for 23/24 contains £1m for site acquisition/development.

	Original Budget £000	Current Budget £000	Actual YTD £000	Variance £000	Carry fwd (C)/ Saving (S)/ Overspend (O)/ Acceln (A)	Notes
Cotgrave Phase 2	500	230	90	(140)	C/S	Landscaping enhancements to be commissioned 23-24 carry fwd £50k required. Support needed for enhancement works at RCP £25k of this underspend requested to be carried fwd. Saving £65k.
Bingham Leisure Hub	2,000	7,673	6,110	(1,563)	C	Handover end January, opened 20 February. Contract and RBC Contingency sums not fully committed. All of the variance requested to be carried forward with a view to releasing a saving in 23-24 when final costs are known. £730k of the carry fwd earmarked for post opening enhancements. Decommissioning of the old leisure centre pool has commenced.
Water Course Improvements	60	0	0	0		Works re-profiled to 2023-24 and packaged together with 2023-24 provision to achieve efficiencies. Potential to fund from UKSPF in 23-24
The Point	200	240	195	(45)	C	Upgrade office lighting £150k complete; balcony waterproofing ongoing investigation; and auto doors to be done. Underspend requested for carry forward.
Bingham Market Place Improvements	0	68	0	(68)	C	PO raised. Works planned from April 23; impacted by cold weather and material availability. Carry forward required.
The Crematorium	3,000	6,123	4,850	(1,273)	C	Total provision including purchase of the land £8.5m. Building Complete and operational. Carry forward requested for final ancillary works and post opening enhancements identified.

	Original Budget £000	Current Budget £000	Actual YTD £000	Variance £000	Carry fwd (C)/ Saving (S)/ Overspend (O)/ Acceln (A)	Notes
Keyworth Cemetery	25	25		(25)	C	Surveys undertaken. Works to be agreed with the Diocese. Quotes to be sourced. Carry forward required.
	7,085	14,432	11,341	(3,091)		
NEIGHBOURHOODS						
Vehicle Replacement	926	1,284	1,044	(240)	C	3 Refuse Freighters, a 2nd hand glass recycler acquired. SEL plant and equipment bought as part of insourcing. New mowers also bought for SEL. 5 Planned purchases: 1 Medical Waste and 1 Recycling Collection Box Vans; Electric Ford Transit; and 2 vehicles for RCP may now be 23/24. Underspend requested to be carried forward.
Support for Registered Housing Providers	2,620	556	0	(556)	C	Carry forward to meet commitments £456k: £80k for 50% due on Practical Completion for 10 units of affordable housing on Garage Sites Ph 2; £36k 1 affordable rent unit Ruddington; and £340k for 4 units Nicker Hill.
Assistive Technology	40	0	0	0		The original £40k provision transferred to support spending pressures on Mandatory DFGs meaning there are no funds available to support the £40k planned investment in Smart Hubs. Other options for financing the Hubs are being assessed.
Discretionary Top Ups	100	100	47	(53)	C	Carry forward to meet commitments.
Disabled Facilities Grants	530	1,003	812	(191)	C	Carry forward to meet commitments as pressure continues on Mandatory DFGs.

	Original Budget £000	Current Budget £000	Actual YTD £000	Variance £000	Carry fwd (C)/ Saving (S)/ Overspend (O)/ Acceln (A)	Notes
Hound Lodge Enhancements	125	11	7	(4)	S	Specification of washer/dryers had to be changed due to the energy availability in the lodge.
Arena Enhancements	75	155	44	(111)	C/S	£100k requested to be carried forward: £75k of this earmarked to upgrade reception and corridor floors. £13k Saving.
Car Park Resurfacing	95	215	119	(96)	C	£16k Car park works completed in April 2023. Balance required to meet additional commitments.
Cotgrave Leisure Centre Enhancements	675	230	0	(230)	C	Agreed deferral of work until Dec 2023 to allow delivery of corporate priorities: Bingham Hub and The Crematorium. Cabinet 11.10.22 approved rephasing to 23/24 Capital Programme. £230k will need to be carried forward.
Edwalton Golf Course Enhancements	30	0	0	0		£30k re-profiled to 23-24 pending options assessment.
Keyworth Leisure Centre Enhancements	470	40	0	(40)	C	Agreed deferral of work until Dec 2023 to allow delivery of corporate priorities: Bingham Hub and The Crematorium. Cabinet 11.10.22 approved rephasing to 23/24 Capital Programme. £40k will need to be carried forward.
Bingham Leisure Centre Improvements	0	97	62	(35)	C	Provision to support any emerging Health and Safety enhancements. Variance to be carried fwd as we withdraw from the Leisure Centre.
Gresham Sports Park Redevelopment	0	51	12	(39)	C	Allocated towards environmental improvements associated with the swale. New fencing provision undertaken. Carry forward required.

	Original Budget £000	Current Budget £000	Actual YTD £000	Variance £000	Carry fwd (C)/ Saving (S)/ Overspend (O)/ Acceln (A)	Notes
Gamston Community Centre Enhancements Special Expense	0	13	7	(6)	C	To support any carbon reduction work. Insulation completed.
Lutterell Hall Enhancements Special Expense	0	77	0	(77)	C	Cfwd to meet planned enhancement works.
LAD2 Green Energy Grants	0	647	594	(53)	S	New initiative, fully funded by Government Grant. Scheme to facilitate external wall insulation, solar PV panels, and loft insulation in homes of non-standard construction. Commencing November, to be delivered in partnership with EON. Timescale has been extended due to COVID. Additional £240k awarded and received. Scheme complete £53k Govt Grant repaid.
HUG and LAD3 Green Energy Grants	770	770	609	(161)	C	New initiative, fully funded by Government Grants. New Home Upgrade Grants and an extension of LAD2 (see above). Funds were to be spent by 31 March 2023, but deadlines extended: HUG1 31 May 2023 and LAD3 30 Sept 2023. Carry fwd required.
Gresham Sports Pavilion	0	32	9	(23)	C	Changing rooms and flooring options to be decided. Expenditure to date on height barrier alterations relating to Electric Vehicle Charging Points. To be funded from Climate Change Reserve. Carry forward required.
Grantham Canal Improvements		28	28	0		Grant awarded to Grantham Canal from UKSPF.
RCP Visitor Centre	75	604	500	(104)	C	Visitor Centre works complete and café operational. Carry fwd required of £104k plus £25k from the Cotgrave Phase II underspend giving a total £129k. Still to be done: phase III final contract works, footpaths, fees, and compost toilet.

	Original Budget £000	Current Budget £000	Actual YTD £000	Variance £000	Carry fwd (C)/ Saving (S)/ Overspend (O)/ Acceln (A)	Notes
External Door/Window Upgrades Various Sites	35	46	0	(46)	C	To be undertaken ad hoc carry forward required.
Alford Road Football Goals	10	10	3	(7)	C	Works complete. £7k underspend needed to support other WB Play Areas.
Capital Grant Funding	0	15	0	(15)	C	One final grant of £15k committed.
Adbolton Play Area Special Expense	75	85	0	(85)	C	Contract awarded to Proludic Ltd; works will start on site spring, expected completion now June. Carry forward required.
Boundary Rd Cycle Track Special Expense	0	3	4	1		Height barrier installed, minor overspend
West Park Julien Cahn Pavilion Special Expense	320	0	0	0		Agreed deferral of work until Dec 2023 to allow delivery of corporate priorities: Bingham Hub and The Crematorium. Cabinet 11.10.22 approved rephasing to 23/24 Capital Programme.
Skateboard Parks	0	40	40	0		Final Skatepark Grant £40k released to Keyworth PC.
Warm Homes on Prescription	25	2	3	1	O	The original £25k transferred to support spending pressures on Mandatory DFGs meaning there are no funds available to support WHOP this year. £3k residual spent projected met by a budget adjustment from historic underspends on BCF.
	6,996	6,114	3,944	(2,170)		

	Original Budget £000	Current Budget £000	Actual YTD £000	Variance £000	Carry fwd (C)/ Saving (S)/ Overspend (O)/ Acceln (A)	Notes
FINANCE & CORPORATE SERVICES						
Information Systems Strategy	230	363	134	(229)	C/S	Rollout of the ICT Alignment Strategy to meet business needs and embrace changing technology. Cloud Based Solutions now being assessed. Carry fwd £193k requested; £36k saving.
Streetwise Loan 22/23	150	0	0	0		Loan not required. Cabinet 11.10.22 approved transfer provision to Capital Contingency to support the insourcing of Streetwise.
	380	363	134	(229)		
CONTINGENCY						
Contingency	150	109		(109)	C/S	Carry forward £100k; Saving £9k.
	150	109	0	(109)		
TOTAL	14,611	21,018	15,419	(5,599)		

Special Expenses Outturn 2022/23

	2022/23 Original Budget	Outturn Actuals	Outturn Variance	Reasons for variance
	£	£	£	
<u>West Bridgford</u>				
Parks & Playing Fields	437,500	435,001	(2,499)	
West Bridgford Town Centre	91,400	90,212	(1,188)	
Community Halls	78,500	104,632	26,132	Utilities and Repairs and reduced income at Gamston Community Hall
Annuity Charges	94,000	89,300	(4,700)	Saving to Notional Fund to support capital expenditure
RCCO	75,000	75,000	0	
Sinking Fund (The Hook)	20,000	20,000	0	
Total	796,400	814,145	17,745	
<u>Keyworth</u>				
Cemetery	7,900	6,685	(1,215)	Repairs
Annuity Charges	1,300	1,300	0	
Total	9,200	7,985	(1215)	
<u>Ruddington</u>				
Cemetery	7,900	6,609	(1,291)	Repairs
Annuity Charges	3,200	3,215	15	
Total	11,100	9,824	(1,276)	
TOTAL SPECIAL EXPENSES	816,700	831,954	15,254	

Carry Forwards and Reserve Commitments

Carry forward to 23/24		Revenue	Capital	Total
Bio-diversity grant to fund new posts		10,000		10,000
Edwalton Golf Course Feasibility		15,000		15,000
Homelessness Funding underspends		33,000		33,000
Homes 4 Ukraine Funding to cover agency 23-24		60,000		60,000
Neighbourhood Planning Grant – Hickling		20,000		20,000
Homes 4 Ukraine		183,000		183,000
Neighbourhood Planning Grant - Ruddington		20,000		20,000
Strategic Growth Board		111,000		111,000
Freeport Planning work (Uniper)		50,000		50,000
		502,000	0	502,000
Appropriation to Reserves		O/S Reserve	Specific	Total
Pooled investments			773,000	773,000
Streetwise Vehicle Replacement			185,000	185,000
Tree Preservation works		90,000		90,000
Local area energy planning		75,000		75,000
Council Tax support fund		33,000		33,000
Toothill additional costs			15,000	15,000
Staffing resource elections		10,000		10,000
Cyber Security Protection (AppGuard)		92,000		92,000
General contingency		101,630		101,630
Pay inflation to meet potential increases beyond the budget assumption (4%)		204,000		204,000
				1,477,000
	Total			2,081,000

Summary capital variances

Variance Analysis 22-23	£000
CARRY FORWARDS:	
Cotgrave Phase 2	(50)
Cotgrave Phase 2 for RCP	(25)
Bingham Leisure Hub	(1,563)
The Point	(45)
Bingham Market Place Improvements	(68)
The Crematorium	(1,273)
Keyworth Cemetery	(25)
Vehicle Replacement	(240)
Support for Registered Housing Providers	(556)
Discretionary Top Ups	(53)
Disabled Facilities Grants	(191)
CLC Enhancements	(230)
Arena Enhancements	(100)
Car Park Resurfacing	(96)
KLC Enhancements	(40)
BLC Improvements	(35)
Gresham Sports Park Redevelopment	(39)
Gamston Community Centre Enhancements	
Special Expense	(6)
Lutterell Hall Enhancements Special Expense	(77)
HUG and LAD3 Green Energy Grants	(161)
Gresham Sports Pavilion	(23)
RCP Visitor Centre	(104)
External Door/Window Upgrades Various Sites	(46)
Alford Road Football Goals	(7)
Capital Grant Funding	(15)
Adbolton Play Area Special Expense	(85)
Information Systems Strategy	(193)
Contingency	(100)
Sub-total	(5,446)
SAVINGS:	
Quantock Grove Public Open Space	(1)
Cotgrave Phase 2	(65)
Arena Enhancements	(11)
Hound Lodge Enhancements	(4)
LAD2 Green Energy Grants	(53)
Information Systems Strategy	(36)
Contingency	(9)
Sub-total	(179)
OVERSPEND:	
U10 Moorbridge Enhancements	4
Boundary Road Cycle Track	1
Warm Homes on Prescription	1
Sub-total	6
ACCELERATION:	
Quantock Grove Public Open Space	20
Sub-total	20
TOTAL	(5,599)



Cabinet

Tuesday, 11 July 2023

Low Carbon and Sustainable Design Supplementary Planning Document

Report of the Director – Development and Economic Growth

Cabinet Portfolio Holder for Planning and Housing, Councillor R Upton

1. Purpose of report

- 1.1. The purpose of the Low Carbon and Sustainable Design Supplementary Planning Document (SPD) is to provide guidance on forms of low carbon and sustainable design and construction, to signpost best practice examples and guidance and to establish a checklist guide for developers to assist in the submission of planning applications.
- 1.2. The purpose of the report is to recommend that the revised draft Low Carbon and Sustainable Design SPD is adopted. Once adopted, it will provide supplementary guidance on the application of Local Plan Part 1: Core Strategy Policies 2 (Climate Change) and 10 (Design and Enhancing Local Identity) in particular. The revised draft SPD is at Appendix 1.

2. Recommendation

It is RECOMMENDED that Cabinet:

- a) supports the proposed revisions to the draft Low Carbon and Sustainable Design Supplementary Planning Document;
- b) approves the adoption of the Low Carbon and Sustainable Design Supplementary Planning Document; and
- c) delegates authority to the Director – Development and Economic Growth, in consultation with the Cabinet Portfolio Holder for Planning and Housing, to make any necessary final minor textual, graphical, and presentational changes required to the SPD prior to publication.

3. Reasons for Recommendation

If adopted, the Low Carbon and Sustainable Design Supplementary Planning Document will provide guidance on the application of Local Plan Part 1: Core Strategy Policies 2 (Climate Change) and 10 (Design and Enhancing Local Identity) in particular and pertinent national policy and guidance within the National Planning Policy Framework and Planning Practice Guidance. Its key role is to provide guidance on forms of low carbon and sustainable design and

construction, to signpost best practice examples and guidance and to establish a best practice checklist guide for developers to assist in the submission of planning applications.

4. Supporting Information

- 4.1. Nottinghamshire councils have jointly prepared planning guidance on low carbon and sustainable design and construction in order to help the relevant councils to achieve their stated objectives of reducing carbon emissions. This guidance has provided the foundation for preparing a Supplementary Planning Document (SPD) on Low Carbon and Sustainable Design. The SPD is based on the Nottinghamshire councils' guidance and has adapted it to meet the particular local circumstances for Rushcliffe. As an SPD it would be a strong material planning consideration in the determination of relevant planning applications.
- 4.2. Most Nottinghamshire councils have declared climate emergencies and/or set local targets for zero carbon emissions and some of these have set ambitious targets to be carbon neutral, varying between 2027 and 2030. In March 2020, Rushcliffe Borough Council made a commitment to work towards becoming carbon neutral by 2030 for its own operations. The Council is also committed to supporting local residents and businesses to reduce their own carbon footprint. If reductions are to be met, there needs to be a step change in terms of delivering zero carbon buildings in the next few years with the longer-term aim of ensuring all new builds are zero carbon (zero-energy) by 2030.
- 4.3. The domestic sector is the largest user of energy in Nottinghamshire and a major contributor to CO₂ emissions. The SPD applies to residential development and also to employment and commercial developments. It may also be applicable to other proposals depending on the type of development and opportunities available to incorporate sustainable design measures within and around new or converted buildings.
- 4.4. The overarching policy for addressing climate change in Rushcliffe is the Local Plan Part 1: Core Strategy Policy 2 (Climate Change). Other adopted policies in the Local Plan, including Local Plan Part 2: Land and Planning Policies, are also relevant to the low carbon agenda and highlighted in the SPD. The SPD augments these adopted Local Plan planning policies and sets out practical measures in order to assist developers in preparing and submitting planning applications for development.
- 4.5. Included within the SPD is guidance on the layout of developments to maximise energy conservation, including the orientation of buildings; minimising energy use, for example through insulation and glazing; incorporating renewable energy technologies on site; and maximising indoor environmental quality, through improved ventilation and the operations of buildings; and the incorporation of blue and green infrastructure.
- 4.6. The SPD provides planning guidance that is not prescriptive but rather recognises that achieving low carbon and sustainable design and construction is achievable through a variety of ways. In this context, it contains practical

guidance and refers to certain standards that are considered a good benchmark for achieving sustainable construction and design and low carbon development such as Building for a Healthy Life and Passivhaus.

- 4.7. The SPD also includes a checklist for use as part of the development management process and for developers when submitting planning applications. The checklist represents best practice and encourages developers to consider how best to deliver low carbon and sustainable design through the choice of materials, layout, and design, embodied and operational energy use, biodiversity, water, drainage, and active travel. The relevant Local Plan policies are highlighted within the checklist. This checklist may eventually need to be updated following future changes to the NPPF and planning reforms, which may make elements of the above mandatory, for example the requirement to submit a Carbon Assessment with planning applications to an agreed or standard methodology.
- 4.8. A draft of the SPD was considered by the LDF Group in November 2022. It was then published for consultation in December 2022 for a six week period ending on 3 February 2023. In total, 13 consultees submitted representations in response to the consultation and raised a number of issues. A summary of the representations and a proposed Council response to the issues raised, including proposed revisions where considered appropriate, is included in Appendix 2.
- 4.9. The main proposed revisions to the draft SPD include:
 - Additional text in respect of Biodiversity Net Gain (BNG) to emphasise that methods to realise local carbon and sustainable design can contribute to BNG;
 - New text relating to Active Travel to make clear that active forms of travel such as walking, and cycling are integral to low carbon and sustainable design;
 - New text relating to orientation and the avoidance of overheating in buildings;
 - New text on the historic environment in order to highlight guidance on methods that can support low carbon and sustainable design without adversely affecting historic buildings;
 - The addition of Bingham Arena and Enterprise Centre as an example of good practice for low carbon and sustainable design and construction;
 - Changes to the Sustainability Checklist to clarify that the checklist represents best practice; and
 - The inclusion of a number of illustrative diagrams relating to sustainable design and construction that have been taken from the National Model Design Code.
- 4.10. Following consultation, the proposed revisions to the draft SPD were considered by the Local Development Group on 20 June 2023, where, subject to some minor additional changes, the revisions to the document were supported and it was recommended to Cabinet that the draft SPD is adopted.

- 4.11. The proposed revisions to the SPD are illustrated in Appendix 1 as 'track changes' – new text is in blue and underlined and text to be deleted is shown as red 'strikethrough' text.
- 4.12. The draft SPD is accompanied by a Strategic Environmental Assessment and Appropriate Assessment Screening report, which is at Appendix 3.

5. Alternative options considered and reasons for rejection

Cabinet could decide not to adopt the draft SPD. This is not recommended as the SPD will better support the implementation of Local Plan policies that seek to mitigate against and adapt to climate change by delivering low carbon and sustainable development across Rushcliffe Borough.

6. Risks and Uncertainties

The SPD is intended to support the implementation of Local Plan Part 1: Core Strategy Policies 2 (Climate Change) and 10 (Design and Enhancing Local Identity) in particular and form a key material planning consideration in the determination of relevant planning applications. In so doing, the risk that such matters relating to low carbon related development and sustainable design are overlooked or not adequately addressed should be reduced.

7. Implications

7.1. Financial Implications

There are no direct financial implications for the Council arising from this report other than the officer time in preparing the relevant documents which should not be significant.

7.2. Legal Implications

The 2004 Planning and Compensation Act empowers Local Planning Authorities to prepare Local Plans and SPDs. SPDs are not part of the Local Plan but are capable of being a material consideration in planning application decisions. There is a requirement for public consultation to be undertaken on the draft SPD and for any representations received to be taken into account before it can be adopted by the Council.

7.3 Equalities Implications

There are no direct equalities implications arising from matters covered in this report. Equalities Impact Assessments were undertaken in preparing the Local Plan. The SPD would not put in place new policies but would supplement relevant policies from the Local Plan.

7.4 Section 17 of the Crime and Disorder Act 1998 Implications

There are no direct community safety implications arising from matters covered in this report.

8. Link to Corporate Priorities

Quality of Life	The SPD helps to ensure new developments positively affect Rushcliffe's environment.
Efficient Services	The recommendations in this report do not impact on or contribute to the Council's Efficient Services priority.
Sustainable Growth	The SPD helps to ensure new developments are delivered in a way that supports sustainable growth.
The Environment	The SPD helps to ensure new developments positively affect Rushcliffe's environment.

9. Recommendation

It is RECOMMENDED that Cabinet:

- a) supports the proposed revisions to the draft Low Carbon and Sustainable Design Supplementary Planning Document;
- b) approves the adoption of the Low Carbon and Sustainable Design Supplementary Planning Document; and
- c) delegates authority to the Director – Development and Economic Growth, in consultation with the Cabinet Portfolio Holder for Planning and Housing, to make any necessary final minor textual, graphical, and presentational changes required to the SPD prior to publication.

For more information contact:	Richard Mapletoft Planning Policy Manager 0115 914 8457 rmapletoft@rushcliffe.gov.uk
Background papers available for Inspection:	None
List of appendices:	Appendix 1: Revised Draft Low Carbon and Sustainable Design Supplementary Planning Document Appendix 2: Draft Low Carbon and Sustainable Design Supplementary Planning Document – summary of consultation responses Appendix 3: Draft Low Carbon and Sustainable Design Supplementary Planning Document – Sustainability Appraisal and Appropriate Assessment Screening Opinion Report

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**Appendix 1: Revised Draft Low Carbon and Sustainable Design
Supplementary Planning Document**



Rushcliffe Borough Council

Low Carbon and Sustainable Design Supplementary Planning Document

With proposed modifications

Adopted **date TBC**

NB: modifications are shown in track changes, with new text in blue and underlined and deleted text in red and strikethrough

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Executive Summary

Nottinghamshire councils have jointly prepared planning guidance – Planning Guidance on Low Carbon Energy and Sustainable Design – in order to help the relevant councils to achieve their stated objectives of reducing carbon emissions. This guidance has provided the foundation for this Supplementary Planning Document (SPD) – Low Carbon and Sustainable Design. It has been adapted to meet the particular local circumstances for Rushcliffe.

Most Nottinghamshire councils (including Broxtowe, Gedling, Mansfield, Newark & Sherwood and Nottingham City) have declared individual climate emergencies or made a commitment to urgent action to address climate change. Some of these councils have set ambitious targets to be carbon neutral varying between 2027 and 2030. In March 2020, Rushcliffe Borough Council made a commitment to work towards becoming **carbon neutral by 2030 for its own operations**. The Council is also committed to supporting local residents and businesses reduce their own carbon footprint. If reductions are to be met there needs to be a step change in terms of delivering zero-carbon buildings in the next few years with the longer-term aim of ensuring all new builds are zero-carbon (zero-energy) by 2030.

A zero-energy building is a building with zero net energy consumption, meaning the total amount of energy used by the building on an annual basis is roughly equal to the amount of renewable energy created on the site, or by renewable energy sources elsewhere. A glossary of terms is included at the back of this document.

The domestic sector is the largest user of energy in Nottinghamshire and a major contributor to CO₂ emissions. The planning guidance set out in this document applies to residential development and also to employment and commercial developments. It may also be applicable to other proposals depending on the type of development and opportunities available to incorporate sustainable design measures within and around new or converted buildings.

The overarching policy for addressing climate change in Rushcliffe is the Local Plan Part 1: Core Strategy Policy 2 (Climate Change). Other adopted policies in the Local Plan, including Local Plan Part 2: Land and Planning Policies, are also relevant to the low carbon agenda and highlighted in this document. This SPD augments these adopted Local Plan planning policies and sets out practical measures in order to help assist developers in preparing and submitting planning applications for relevant development.

This includes: guidance on the layout of developments to maximise energy conservation, including the orientation of buildings; minimising energy use, for example through insulation and glazing; incorporating renewable energy

technologies on site; and maximising indoor environmental quality, through improved ventilation, operations of buildings and incorporation of blue and green infrastructure.

1. Introduction

What is a Supplementary Planning Document?

- 1.1. The role of Supplementary Planning Documents (SPD) is to provide guidance on the application of existing policies within an adopted development plan. An SPD does not form part of the development plan nor is it intended to provide policies beyond those within the development plan. The overall purpose of this SPD is to assist the interpretation and application of those policies within the Rushcliffe Local Plan Part 1: Core Strategy and Local Plan Part 2: Land and Planning Policies which require developments reduce emissions that contribute to climate change, mitigate or compensate these emission, and adapt to its consequences.
- 1.2. The National Planning Policy Framework (2021) (NPPF) and Planning Practice Guidance (PPG) contain policies and detailed guidance on the delivery of sustainable development that addresses the causes and effects of climate change. This SPD also interprets the NPPF and PPG, providing local context that will assist all parties when preparing or considering planning applications.
- 1.3. This SPD augments adopted Local Plan Policies for Rushcliffe, which are set out in the policy context elsewhere in this document.

What is the Purpose of the SPD?

- 1.4. This guidance is for all persons with an interest in the delivery of low carbon and sustainable development within Rushcliffe, including planning officers, Borough councillors, developers and members of the public.
- 1.5. The SPD is intended to provide:
 - Practical guidance on the forms of sustainable design and construction;
 - Guidance to help inform planning applications for development proposals and the development management process;
 - Signposting to best practice examples and guidance; and
 - A checklist guide for developers to assist in the submission of planning applications (**Appendix 1**).
- 1.6. The document provides planning guidance that is not prescriptive but rather recognises that achieving sustainable design and low carbon development is achievable through a variety of ways. In this context, it contains practical guidance and refers to certain standards that are considered a good

benchmark for achieving sustainable construction and design and low carbon development such as Building for a Healthy Life and Passivhaus.

- 1.7. The planning guidance set out in this document applies to all residential, employment and commercial developments. It may also be applicable to other proposals depending on the type of development and opportunities available to incorporate sustainable design measures within and around new or converted buildings.
- 1.8. The SPD includes a checklist for use as part of the development management process and for developers when submitting planning applications. The checklist distinguishes between what is deliverable under the current policies and those more aspirational aims which may become requirements in anticipation of changing national and local planning policies in the future.

2. Policy Context

National Policy Context

- 2.1 In line with the recommendations from the independent Climate Change Committee and building on previous targets established within the Climate Change Act 2008, in 2021 the UK Government set an ambitious target of reducing emissions by 78% by 2035 compared to 1990 levels.
- 2.2 Recognising that planning will play an important role in reducing and mitigating the effects of climate change, Section 19 of the Planning and Compulsory Purchase Act 2004 requires LPAs to include Local Plan policies, which are designed to secure the development and the use of land that, contribute to the mitigation of, and adaptation to, climate change.
- 2.3 The Planning and Energy Act 2008 allows local planning authorities (LPAs) to set energy efficiency standards in their local plan policies that exceed those set out in the building regulations. There are, however, limitations placed on the extent to which standard can meaningfully exceed energy efficiency standards in the building regulations.
- 2.4 The NPPF 2021 (paragraphs 153 to 158) sets out national requirements for planning and climate change. LPAs are required to adopt proactive strategies to adapt to and mitigate against the impacts of climate change in line with objectives and provisions of the Climate Change Act (2008).
- 2.5 In line with this, the NPPF 2021 (paragraph 154) states that:

‘New development should be planned for in ways that: a) avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure; and b) can help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings should reflect the Government’s policy for national technical standards’.
- 2.6 Government Planning Practice Guidance advises how suitable mitigation and adaptation measures can be implemented in the planning process in order to address the impacts of climate change. This focuses on win-win solutions, for example:

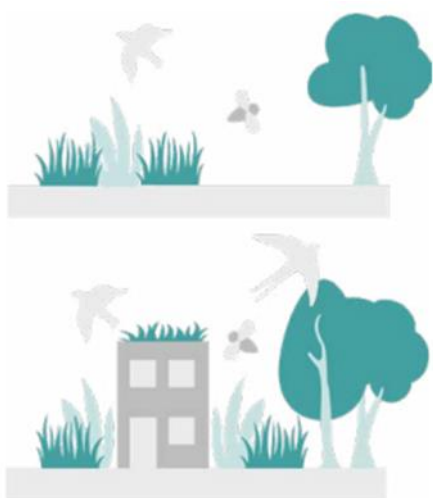
- by maximising summer cooling through natural ventilation in buildings and avoiding solar gain;
- through district heating networks that include tri-generation (combined cooling, heat and power); or
- through the provision of multi-functional green infrastructure, which can reduce urban heat islands, manage flooding and help species adapt to climate change – as well as contributing to a pleasant environment which encourages people to walk and cycle.

Building Regulations

- 2.7 The Future Homes Standard, renamed the Future Homes and Buildings Standard was published by the Government in 2019. Its aims to reduce CO2 emissions by 75-80% against the building regulations in place at that time (effectively net-zero emissions). These new standards will come into force in 2025. The intention is to future proof new homes, avoiding future retrofitting, for low carbon heating systems and meeting higher standards of energy efficiency.
- 2.8 In the interim period the Government has made changes to Part L (energy) and Part F (ventilation) of the Building Regulations. These came into force in 2022 and are the first step towards achieving 25-80% reductions in emissions. Crucially, the Government has confirmed that to provide some certainty in the immediate term, it will not amend the Planning and Energy Act 2008, which means that local authorities will retain powers to set local energy efficiency standards for new homes.
- 2.9 Building regulations require new homes deliver CO2 savings of 31% and new non-domestic buildings deliver savings of 21% compared to the previous standards, through a combination of low carbon heating and increased fabric standards. The Government has confirmed that from 2025 it does not want any new home to be built with fossil fuel heating, such as a natural gas boiler. All new housing will also have to be future-proofed so that ‘no further energy efficiency retrofit work will be necessary to enable them to become zero-carbon as the electricity grid continues to decarbonise’.
- [2.10](#) The existing Building Regulations and future revisions (required to reach the Future Homes and Buildings Standard) are a crucial element in achieving zero carbon development. The planning guidance set out in this document is intended to complement the relevant existing and future building regulations.

Biodiversity Net Gain

2.102.11 Biodiversity Net Gain (BNG) is an approach to development and land management, that aims to leave the natural environment in a measurably better state than it was beforehand and has a role to play in addressing the climate emergency. Under the Environment Act 2021, all planning permissions granted in England (with a few exemptions) will have to deliver at least 10% biodiversity net gain from an as yet unconfirmed date, expected to be in November 2023. The planning guidance set out in this document includes some of the ways which can contribute to biodiversity net gain.



Active Travel

2.112.12 Active Travel is an integral part of low carbon and sustainable design and can help tackle climate change as well as improve air quality, health and well-being. The Government has set a vision for walking and cycling to make up half of all journeys in urban areas by 2030¹ and established Active Travel England in 2022, a statutory consultee within the planning system, which has the responsibility for making walking, wheeling and cycling the preferred choice for transport. The Department for Transport published Local Transport Note 1/20² (LTN 1/20) in 2020 which provides guidance for the design of cycle infrastructure. Core design principles within LTN 1/20 seek to deliver cycle infrastructure which is simple to navigate, direct, safe, well-maintained and attractive to use. It is appropriate that all new cycling infrastructure which is part of major development is compliant with LTN 1/20.

¹ Link to Department of Transport (2020). Gear Change: A bold vision for cycling and walking

² Link to Department of Transport (2020). Cycle Infrastructure Design. LTN 1/20

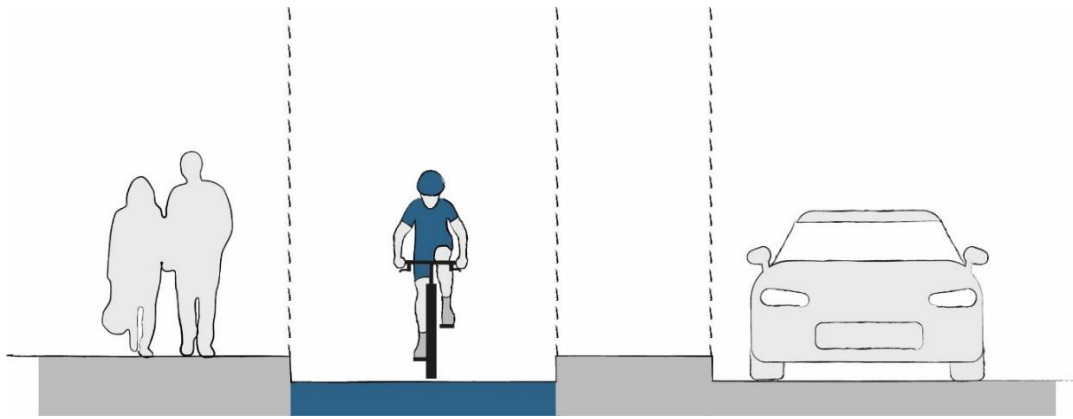


Figure 1. [Grade-separated cycle lane](#)

[Planning Reforms](#)

[2.13](#) [As a commitment to the Net Zero Strategy, the Government intends to carry out a fuller review of the NPPF following Royal Assent of the Levelling-up and Regeneration Bill, including consultation on a potential approach to carbon assessment which would be used as a tool for assessing individual developments in the decision-making process. The guidance set out in this document encourages the inclusion of a carbon assessment within the Sustainability Statement in order to understand operational carbon emissions, embodied carbon and any off-setting measures. In future, the Council may set out a policy requirement for a specific method of carbon assessment and the requirement to demonstrate Net Zero Carbon, following implementation of the current planning reforms.](#)

Local Policy Context

Local Plan Part 1: Core Strategy

[2.12](#)[2.14](#) Policy 2 (Climate Change) of the adopted Local Plan Part 2: Core Strategy is the overarching low carbon and sustainable design policy.

[2.13](#)[2.15](#) Part 1 of Policy 2 expects all developments mitigate against and adapt to climate change, and to comply with national and local targets on reducing carbon emissions and energy use, unless it can be clearly demonstrated the full compliance with the policy is not viable or feasible.

[2.14](#)[2.16](#) Part 2 contains four sustainable design and adaptation criteria. These require developments demonstrate:

- a) how it makes effective use of sustainably sourced resources and materials and minimises waste and water use. For residential

- development, water use should be no more than 105 litres per person per day;
- b) how it is located, laid out, sited and designed to withstand the long term impacts of climate change, particularly the effect of rising temperatures, sustained periods of high temperatures and periods of intense rain and storms;
 - c) that the building form and its construction allows for adaptation to future changes in climate; and
 - d) that the building form and its construction permits further reduction in the building's carbon footprint where feasible and viable.

~~2.15~~2.17 Part 3 addresses reductions in carbon dioxide emissions, requiring developments minimise emissions in accordance with the following criteria:

- a) Using less energy through energy efficient building design and construction, including thermal insulation, passive ventilation and cooling;
- b) Utilising energy efficient supplies, including connection to available heat and power networks;
- c) Maximising use of renewable and low carbon energy systems

~~2.16~~2.18 Part 5 states that the extension of existing or development of new decentralised, renewable and low-carbon energy schemes appropriate for Rushcliffe will be promoted and encouraged, including biomass power generation, combined heat and power, wind, solar and micro generation systems, where these are compatible with environmental, heritage, landscape and other planning considerations. In line with the energy hierarchy, adjacent new developments will be expected to utilise such energy wherever it is feasible and viable to do so.

~~2.17~~2.19 Parts 6 to Part 10 address flood risk and sustainable drainage, requiring developments avoid areas of flood risk, in accordance with the sequential approach. Part 10 states that all new development should incorporate measures to reduce surface water run-off, and implementation of Sustainable Drainage Systems into all new development will be sought unless it can be demonstrated that such measures are not viable or technically feasible.

~~2.18~~2.20 Policy 10 (Design and Enhancing Local Identity) Part 1d) states that all new development should be designed to be adaptable to meet evolving demands and the effects of climate change and Part e) reflect the need to reduce the dominance of motor vehicles. Part 3 requires all development, in particular 10 or more homes, will be expected to perform highly when assessed against best practice guidance and standards for sustainability, as set out in Local Development Documents (such as this SPD).

~~2.19~~2.21 Other policies in the Core Strategy of relevance to sustainable design include Policy 14, which steers development to accessible locations (in accordance with the Spatial Strategy) and promoting sustainable transport networks (public transport, cycling and walking). Policy 16 seeks to make provision for green and blue infrastructure in new development and for its integration into existing green infrastructure networks. Policy 17 seeks to ensure new development provides new biodiversity features wherever appropriate.

Local Plan Part 2: Land and Planning Policies

~~2.20~~2.22 Local Plan Part 2 contains a number of planning policies that address low carbon and sustainable design issues, including energy efficiency, lower water consumption, sustainable drainage, maintaining and enhancing water courses, and achieving net gains in biodiversity.

~~2.21~~2.23 Policy 1 (Development Requirements) Part 11 states that planning permission for new development will be granted provided that the use of appropriate renewable energy technologies will be encouraged within new development and the design, layout and materials of the proposal should promote a high degree of energy efficiency.

~~2.22~~2.24 Policy 12 (Housing Standards) Part 3 requires all new dwellings will be required to meet higher Optional Technical Housing Standards for water consumption of no more than 110 litres per person per day.

~~2.23~~2.25 Policy 18 (Surface Water Management) Part 1 states that, in order to increase water attenuation and water quality, development must, at an early stage in the design process, identify opportunities to incorporate a range of deliverable Sustainable Drainage Systems. Part c) specifically references providing greater resistance to the impacts of climate change, part e) refers to accommodating and enhancing biodiversity by making connections to existing GI (Green Infrastructure) assets.

~~2.24~~2.26 Policy 19 (Development Affecting Watercourses) contains a number of criteria that seek to conserve and enhance watercourses. They address restoring natural flooding processes, enhancement of biodiversity, de-culverting, and buffers that maintain the wildlife corridor.

~~2.25~~2.27 Policy 35 (Green Infrastructure Network and Urban Fringe) states that opportunities should be taken to create additional assets which enlarge the green infrastructure network, improve its connectivity and/or widen the function of the corridor. Developments within the urban fringe, must, where possible and

appropriate, incorporate accessible infrastructure that provides recreational opportunities, wildlife benefits and enables pedestrian and cycle access to the wider countryside.

~~2.26~~2.28 Policy 38 (Non-Designated Biodiversity Assets and the Wider Ecological Network) state that Where appropriate, all developments will be expected to preserve, restore and re-create priority habitats and the protection and recovery of priority species in order to achieve net gains in biodiversity.

~~2.27~~2.29 The key policy context and principles are set out above, the following guidance is intended to inform the development management process and a checklist is provided at Appendix 1 setting out the evidence needed to support the consideration of planning applications.

3. Sustainable development and construction principles, guidance for Developers

- 3.1 This SPD focuses on how new development can design in and embed carbon reduction and wider sustainable design measures. The types of design measures will likely depend on the scale, type and location of the development. It is not the aim of this document to prescribe any particular approach, but it is also clear that new development can do much to affect positive change.
- 3.2 Proposals will be required to include information on the sustainability and low carbon credentials of the development proposal [in accordance using the Best Practice Sustainability Checklist](#) ~~with the requirements for outline or full planning applications as set out in the Checklist in Appendix 1. For information indicated as aspirational requirements, developers are encouraged to provide this information to ensure development is as sustainable as possible.~~ The information ~~required or requested~~ may be set out in the Design and Access Statement or a separate sustainability statement or in a combination of both these documents.

Sustainable layout and design ('whole building' and 'whole layout' considerations).

- 3.3 Sustainability has to be part of the whole design process, from the very start of the project. The field of sustainable design seeks to balance the needs of these areas by using an integrated approach to create "win-win" design solutions. The Government has produced National Design Guidance³, which is relevant in this context.
- 3.4 It is important that new development optimises the site's potential by considering ~~how~~ existing infrastructure and natural features (both nearby and on-site) can be best integrated and enhanced to help conserve energy, maximise renewable energy efficiency, improve air quality, enhance biodiversity, avoid and reduce flooding and improve the uptake of sustainable modes of transport (walking, cycling and public transport).
- 3.5 When planning for and designing layouts, this needs to consider aspects such as building orientation, access to sustainable transport, connectivity, green infrastructure, water conservation and management, biodiversity net gains, [and heritage assets and their settings](#) etc. from the on-set of the design process. In doing so this can reduce costs and time by beginning to integrate cross-cutting

³ [Link to UK Government website and Design Guide](#)

policy needs early on in the process. Pre-application discussions and information gathering processes are encouraged to address the following:

- Considering different layout options to achieve ~~maximum~~optimal solar gain and integration of solar panels;
- Connectivity to existing community facilities, jobs and green infrastructure, bus routes and walking and cycling routes;
- Connectivity within the development to maximise routes that reduce car travel within the development and also seek to improve physical and mental wellbeing;
- Avoidance of flood risk through the use of sustainable drainage systems (SuDS) and how these can also minimise impacts and enhance water quality, amenity and biodiversity;
- Protecting and enhancing biodiversity on and adjacent to the site by understanding what should be conserved but also enhanced within the development and the relationship with nearby ecological networks and designated sites and delivery of net gains in biodiversity;
- Design and integration of landscaping along busy roads and providing off-road walking and cycling green corridors in order to avoid and minimise impacts and improve air quality; and
- Design and integration of open spaces and green networks to promote urban cooling, access to nature and healthy places.

Maximising site potential

Solar Orientation

- 3.6 Using the sun's energy and surrounding climate is called passive solar design and can achieve natural heating and cooling of a building. This is complex as the amount and power of the sun changes with the seasons although it is possible to model the amount of sun throughout the day and year. As a general principle, the building should be orientated to take maximum advantage of the sun's energy.
- 3.7 The Passivhaus⁴ guidelines are that orientation should be preferably on an east to west axis and so the building is orientated within 30 degrees of due south as shown in Figure 1 below. Frequently used and habitable rooms should be on the southern elevation.
- 3.8 It is not always practical or possible to orientate buildings to an east west direction. For building sites with a north south axis, a north to south alignment

⁴ Passivhaus - [Link to Passiv Haus website - what is passivhaus?](#)

maximises morning and evening sunshine. Habitable rooms should be on the western elevation to maximise heat and light in the evenings, which can reduce the need or timing of heating these rooms. In both cases, consideration should be given to the size and position of window openings including the use of large glazing units being at least sufficient to provide adequate daylight to reduce the need for lighting and energy use. In general, most glazing should be on the south side.

3.9 Even where rooms face north it is possible to admit sunlight through using designs for example the house could be split in such a way that rather than the roof being equal on both sides one half is dropped to allow for clerestory glazing⁵ at the highpoint to capture southern sun light.

3.10 The building size and compactness also has a major effect on energy consumption. Generally, more compact forms with a low surface area to volume ratio are the most energy efficient. The building fabric especially the level of insulation is critical to achieving greater gains from passive solar energy although the standards for energy efficiency in homes is outside the scope of these guidelines. The Passivhaus principles for maximising passive solar gain include:

- Massive insulation on average 300 mm thick
- Triple glazing;
- Air tightness; and
- Ventilation (see below)

3.11 The layout of homes on a site also needs to take account of the potential for passive solar gain. Planning policies generally seek to ensure that new development does not create issues of overlooking, overbearing or overshadowing. Separation distances between residential units and their siting and orientation within the scheme relative to one another should seek to maximise solar gain across the scheme as a whole. The elevation with the most potential for solar gain should have a minimum distance of 11 m from the next building.

⁵ A **clerestory** is an interior wall built above part of the roof with high windows to let in light.

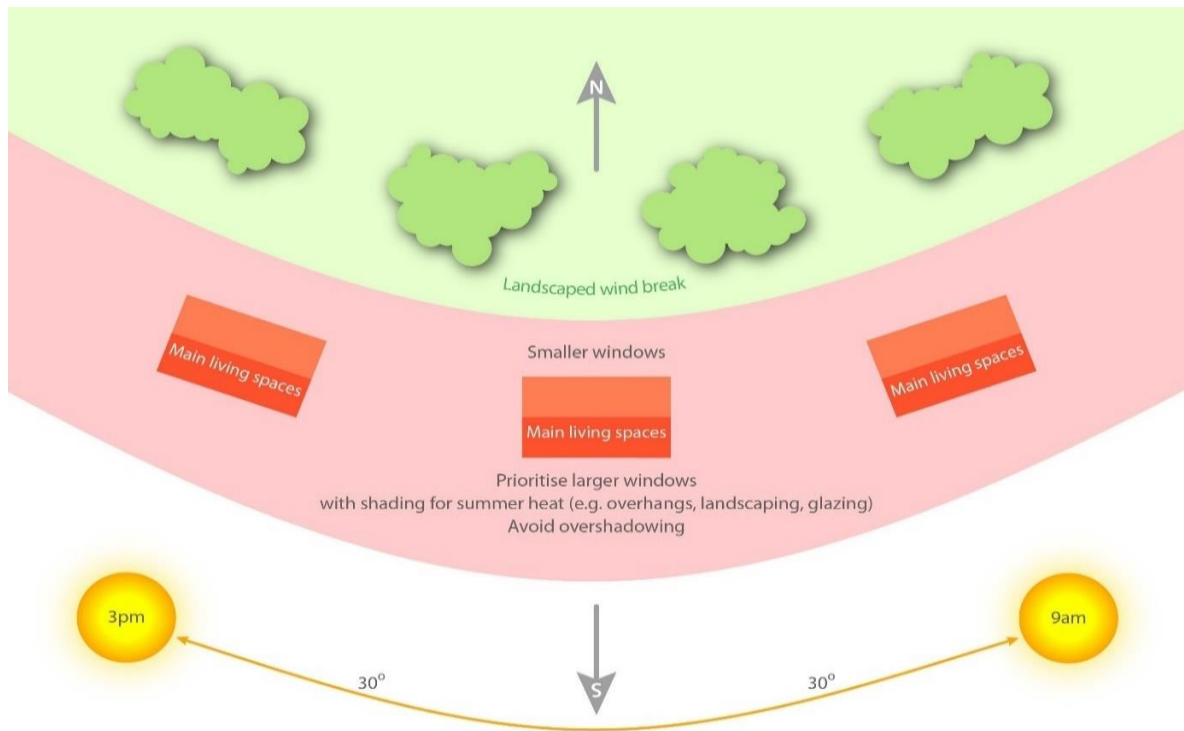


Figure 24: Solar Orientation residential dwellings

Solar Orientation of Commercial buildings

3.12 These are best orientated in an east – west orientation with most glazing on the north side to avoid excessive heat gain, which can be an issue even in the winter months.

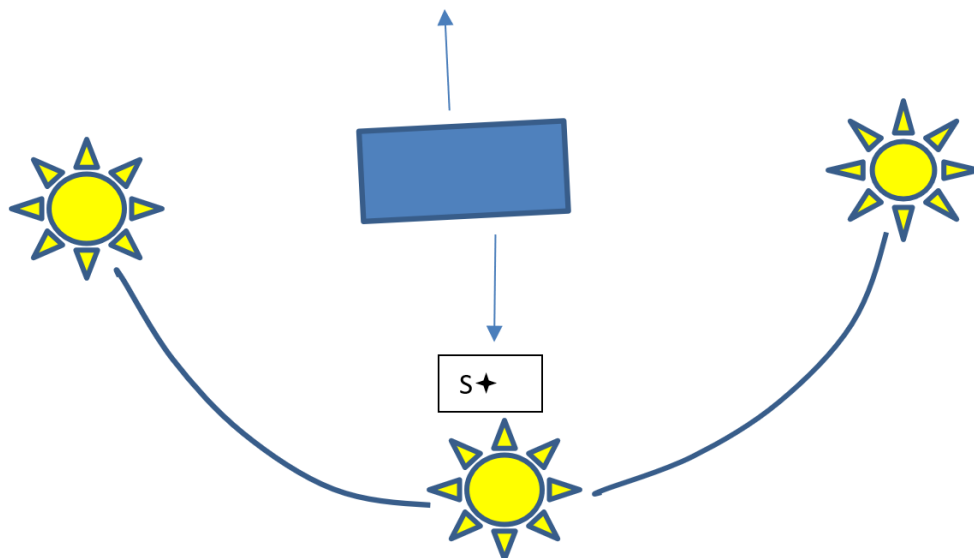


Figure 32: commercial/office orientated on an east – west axis

Solar Orientation and Overheating

3.423.13 Solar heat gain can lead to overheating, especially during the summer months through windows facing south to west and it is important to consider measures, ideally at the design stage which provide external protection so as to reduce the amount of sunlight entering the building. External protection can be provided by a brise-soleil, a horizontal louvered screen to protect windows and walls from the sun, or an awning. External blinds and shutters will provide the most protection but have the disadvantage of restricting daylight and views to the outside. Providing a light-coloured finish to flat roofs, for example on the top floor of an apartment building can reflect sunlight and reduce the potential for overheating. The Building Research Establishment and the Good Homes Alliance have produced guidance⁶ on overheating in homes.

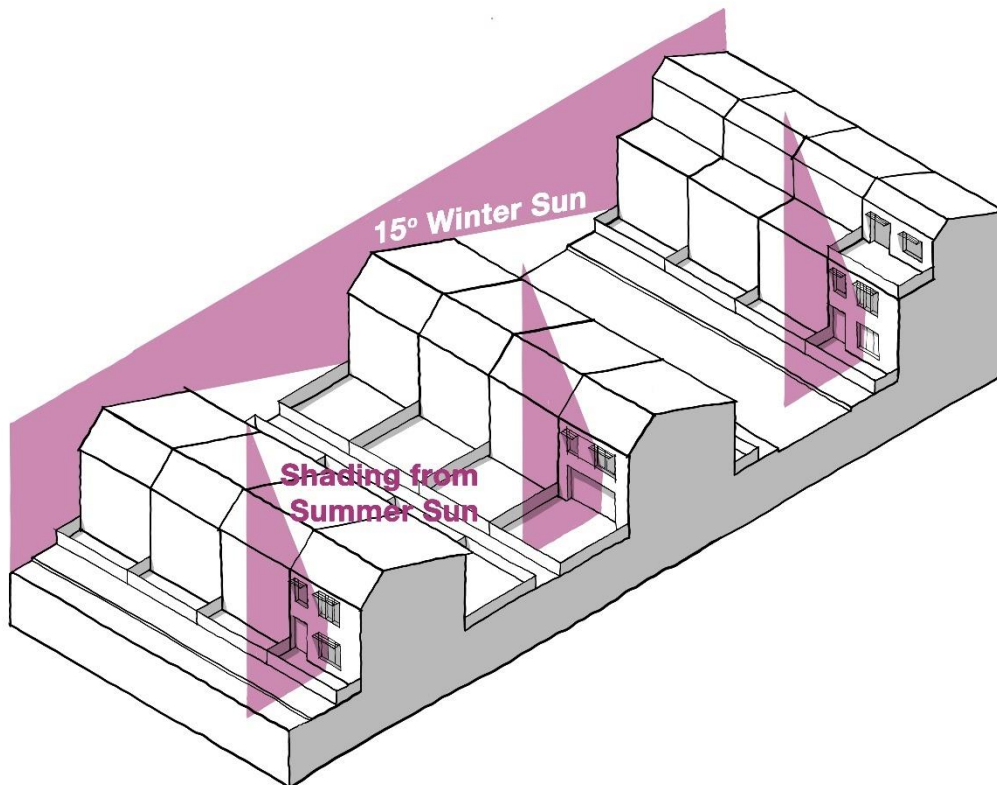


Figure 4. Solar orientation - shading

⁶ [Link to BRE \(2016\). Overheating in Dwellings](#)
[Link to Good Homes Alliance \(2019\). Overheating in New Homes](#)

Minimising Energy Use

Glazing

~~3.13~~[3.14](#) Triple low-e glazed window panes with noble gas filling may be used with the glazing and frame having a U value of 0.8 W/(m² K). Solar transmittance or g value should be 50% or more so as to allow more solar gain in winter months. Triple low e glazed slim units to fit wooden frames within Conservations Areas or heritage ~~buildings-~~[assets](#) may also be used.

Thermal Mass

~~3.14~~[3.15](#) Thermal mass can be placed in the floor or walls of a building. This needs to be a dense and heavy material, which can act as a good heat conductor. A simple form is a concrete slab although this should be tiled rather than have a carpet covering. Thermal mass is best placed where it can absorb heat in the colder months of the year and be shaded in hotter months. Thermal mass absorbs heat in hot weather and can therefore have a cooling effect whilst giving out heat when the temperature falls therefore having a warming effect.

Insulation

~~3.15~~[3.16](#) Most homes are built with a cavity wall, which can be filled with insulation including foam insulation injected through the external wall. It is considered that many homes nationally and locally could benefit from this relatively easy and cheap form of insulation. Solid walls can also be insulated using solid wall insulation boards either on internal walls or on external walls.

EV points and domestic lighting

~~3.16~~[3.17](#) Electric or hybrid-electric powered vehicles currently form a small percentage of the total number of vehicles on the road. However, electric/hybrid vehicles will become more popular, further advances in technology are anticipated, and the likelihood is that these vehicles will become less expensive. External charging points can and should be provided for new homes.

~~3.17~~[3.18](#) In 2021 the Government published new Building Regulations regarding the installation of electric vehicle charging points ([Infrastructure for the charging of electric vehicles](#)). These regulations came into force on the 15 June 2022.

~~3.18~~[3.19](#) The regulations state that, provided costs do not exceed £3,600 per charging point, where associated parking spaces are provided for a new residential building, the number of associated parking spaces that have access

to an electric vehicle charge point must be a minimum of either of the following:
a) The number of associated parking spaces or b) The number of dwellings that the car park serves. These regulations also address requirements for dwellings creating through change of use, properties undergoing major renovations, new buildings or renovations which are not residential or mixed use, and mixed used buildings.

~~3.19~~3.20 Critically, it sets out standards for electric vehicle charging points, requiring they:

- are designed and installed as described in BS EN 61851;
- have a minimum nominal rated output of 7kW; be fitted with a universal socket;
- Alternatively, in exceptional circumstances, such as for a self-build property, if the vehicle requirements are already known, a tethered electric vehicle charge point may be acceptable;
- are fitted with an indicator to show the equipment's charging status that uses lights, or a visual display;
- are a minimum of a Mode 3 specialised system; and
- meet the requirements of BS 7671 and IET's Code of Practice: Electric Vehicle Charging Equipment Installation.

~~3.20~~3.21 Maximising solar gain through design and orientation is also the best means of making the most of natural light. Electrical lighting systems should be of the low energy type including for example, LEDs, compact fluorescent lamps and low energy bulbs.

Renewable Energy technology for buildings

~~3.21~~3.22 There are a range of technologies available to generate energy on-site and minimise energy use from potentially less sustainable sources of energy that is delivered from the national grid including: solar thermal panels, photovoltaic cells, small wind power generators, biomass heating and hot water systems, ground source heat pumps, air heat pumps, micro combined heat and power systems (powered by a renewable fuel source) or energy efficient ventilation systems.

Solar Panels, ground source heat pumps and air source heat pumps

~~3.22~~3.23 Solar panels also known as photovoltaic cells or PV capture the sun's energy and convert it into electricity. A roof area of 10 sqm to 20 sqm can

deliver 20- 45% of the household's electricity needs and the roof should ideally face south. Solar thermal panels can provide both hot water and electricity.

~~3.23~~3.24 Ground source heat pumps capture the heat from underground, which has a relatively constant temperature of about 10 degrees C. The systems work on pipes laid under the ground in a loop with a mixture of water and antifreeze that is pumped around the loop. The loop heats up and passes through a heat exchanger to heat the home. Normally a larger garden area is required to accommodate the loop but they are relatively inexpensive to run and maintain. Air source heat pumps are an alternative normally placed at the side or back of a property. These take heat from the air and boost it to a higher temperature using a heat pump although this does require electricity to run but is likely to use cleaner energy and be more efficient than gas boilers. They can be used to provide cooling ventilation during summer.

Biomass Boilers

~~3.24~~3.25 These appliances burn organic materials (such as wood pellets) to produce heat and can be fitted with a back boiler to supply hot water. One disadvantage is that combustion can give off air pollution and it is important that sustainable organic materials are burned.

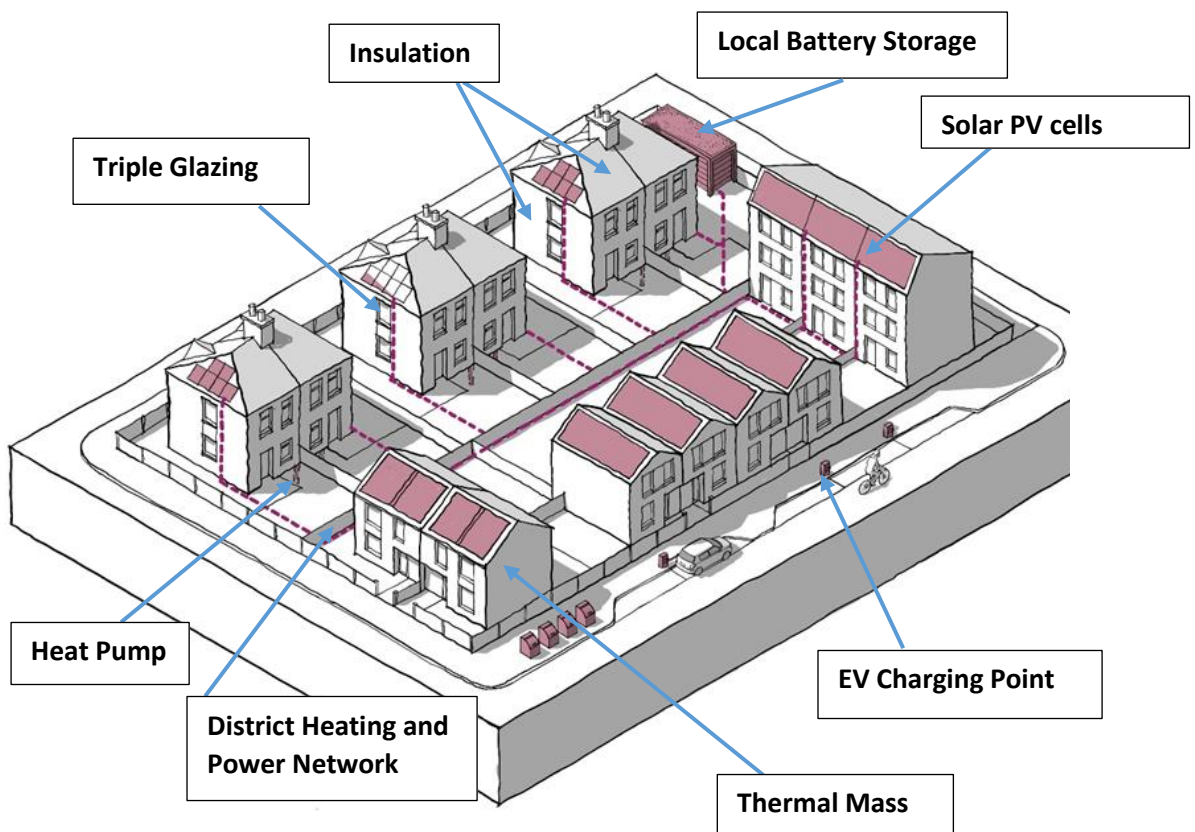


Figure 5. Minimising energy use and examples of low carbon and renewable energy sources

Protecting and conserving water

3.253.26 Local Plan Part 2 Policy 12 requires residential development meet a higher water consumption standard of not more than 110 litres per person per day.

3.263.27 There are numerous installations within buildings that can conserve water including, low flush toilets, aerating taps, low flow showerheads and water butts.

Rainwater Harvesting

3.273.28 At its simplest rainwater harvesting can be rainwater collection tubs connected to a drainpipe. However, more sophisticated systems including storing of rainwater collected from the roof of the building, which can either, be gravity fed or pumped for purposes not requiring drinking water standards such as flushing toilets, washing machines or for watering the garden. Water can be harvested from green roofs (see below) although it is less clean and may have contaminants.

Recycling Grey Water

~~3.28~~3.29 Water used in the home called grey water can after treatment be used for non-drinking water purposes for flushing toilets or watering the garden.

Building materials and construction

Materials

~~3.29~~3.30 The environmental impact of the main building's materials should be considered. Examples of low impact materials are timber, earth, straw, secondary aggregates, locally produced or recycled products; high impact materials include plastic, steel and aluminium. Repair is generally preferable to reuse, reuse to recycling and recycling to disposal/new materials. When using timber, preference should be given to products from well-managed, sustainable, certified sources e.g. Forest Stewardship Council (FSC). Environmental ratings are published in the BRE Green Guide⁷ and BREEAM Standards⁸.

~~3.30~~3.31 Where possible, materials should be locally sourced within Rushcliffe or neighbouring borough in order to reduce their unnecessary transportation by unsustainable methods.

Construction

~~3.31~~3.32 The Council will, where appropriate, require a Construction Method Statement is submitted to the Council. This will require methods that contribute to the delivery of sustainable development by ensuring the environment is protected through the use of techniques that prevent pollution of watercourses, protect roots, controls of lighting on site, and reduce disturbance to people and wildlife.

Maximise indoor environmental quality

Ventilation

~~3.32~~3.33 The Building Regulations and standards such as Passivhaus require airtight forms of construction to improve energy efficiency and eliminate drafts for example, airtight fabric, taped and sealed wall joints. However, healthy homes need to be properly ventilated.

⁷ [Link to BRE Green Guide](#)

⁸ [Link to BREEAM Standards](#)

~~3.33~~3.34 At its simplest passive ventilation can be achieved with all externally fitted windows being able to be opened. Skylights and roof glazing can also be used to allow the free flow of air through a building for cooling purposes.

~~3.34~~3.35 Mechanical ventilation involves air extracted from the outside and pumped into the house through a heat exchanger where warm moist air from the house is pumped outward warming but not mixing with the incoming air.

~~3.35~~3.36 As stated above, thermal mass can have a cooling or warming effect. A high thermal mass construction could be a brick and bloc wall with a plaster finish. A timber-framed wall has a lower thermal mass. Thermal mass helps prevent buildings overheating in summer and in winter, absorbs heat during the day and releases it at night.

Operation of buildings and their maintenance

~~3.36~~3.37 Future proofing⁹ of buildings is critical and important to build in at the design phase. The key objective should be to achieve a sustainable low energy building that is adaptable to social, technological, economic and regulatory change and seek to maximise the life cycle of the building and minimise operating costs. Flexibility is often seen to be key in this context so that the building can continue to be efficiently used well into the future. This could include for example, moveable partitions or adaptable multi use space. Building in resilience to climate change including increased temperature or flood risk should be considered.

Blue and Green infrastructure, including landscaping and green roofs

[3.38 The Green Infrastructure Framework¹⁰ was launched by Natural England in January 2023 and is a commitment in the Government's 25 Year Environment Plan. It supports the greening of our towns and cities and connections with the surrounding landscape as part of the Nature Recovery Network and has been produced to help local planning authorities and developers meet the requirements in the NPPF to consider Green Infrastructure in Local Plans and in new development.](#)

~~3.37~~3.39 Policy 35 of the Local Plan Part 2 requires the creation of additional Blue Green Infrastructure (BGI) assets which enlarge the network, improve

⁹ [Link to Designing Buildings WIKI website for Future Proofing Construction](#)

¹⁰ [Link to Natural England \(2023\) Green Infrastructure Framework](#)

connectivity and widen their functions¹¹. The integration of on-site BGI provides multiple benefits such as reducing and attenuating surface water run-off, helping to improve air quality by absorbing particulate matter and restoring and delivering biodiversity net-gain through habitat creation and improved connectivity. These benefits are also known as 'ecosystem services' and their value is termed 'natural capital.'

~~3.38~~3.40 Critically, as part of a sustainability focused development, BGI helps to regulate the impacts caused by climate change (urban heat island effects and increased periods of heavy rainfall) and also to help reduce CO₂ emissions (by promoting active travel (walking and cycling)). The designing in of BGI also provides health and wellbeing benefits for residents and can contribute to reduced energy costs, when designed in and utilised effectively.

~~3.39~~3.41 Vegetated areas typically reflect more solar radiation away from the surface than dark, artificial surfaces. Consequently, less solar radiation will be absorbed, resulting in vegetated areas having cooler surfaces and lower air temperatures compared with built-up, non-vegetated areas. Vegetated areas also have lower heat storage capacities than many artificial materials and transfer energy rapidly to the air because of their multiple small leaves and branches, which facilitate air movement.

~~3.40~~3.42 The positive benefits from the integration of BGI are reported in a European Commission publication on climate change and green infrastructure¹². It reports that 'estimations have shown energy savings from green roofs at 15-45% of annual energy consumption, mainly from reducing costs for cooling. For example, in New York it was estimated that providing 50% green roof cover within the metropolitan area would lead to an average 0.1-0.8°C reduction in surface temperatures. It was noted that for every degree reduction in the urban heat island effect roughly 495 million kWh of energy would be saved. Urban trees also bring multiple benefits including energy savings from cooling and heating. A 20% tree canopy over a house results in annual cooling savings of 8 to 18% and annual energy savings of 2 to 8%'. The reduction in urban heat island effects and subsequent energy savings will depend on the size and character of the urban area (high density urban centres or less dense suburbs) and the extent in use of air conditioning equipment.

¹¹ Broad functions of BGI include biodiversity (nature conservation and enhancement of the ecological network), active travel (walking and cycling), sport and recreation, and combatting the causes and effects of climate change (including managing flood risks).

¹² [Link to EU Commission Document Green Infrastructure in the Energy Sector document](#)

~~3.41~~3.43 Research by Manchester Metropolitan University¹³ also report the important roles that urban trees and grassed areas have in significantly reducing the heat island effect and reduce rainfall runoff.

~~3.42~~3.44 This comes in many forms and scales, including, but not limited to:

- Green roofs and living walls
- Street trees, hedgerows, urban trees and woodland
- Open space and green corridors
- Semi-natural and natural habitats
- Sustainable drainage systems
- Allotments and community orchards and
- Walking and cycling routes / networks.

~~3.43~~3.45 The following provides a short summary of the benefits of incorporating blue and green infrastructure with links to further evidence and delivery mechanisms:

- A) Green roofs and living walls – These reduce energy heating but also cooling costs and contribute, to some degree, to reductions in surface water run-off. These also improve the local air quality and can be integrated on a variety of scales. It is important that maintenance is addressed, as this is a critical factor in their success. They can greatly add to the aesthetics and also to the uptake of buildings. They soften the urban form and provide net gains in biodiversity.
- B) Trees, hedgerows and other semi-natural and natural habitats – Urban trees and woodland, hedgerows and other habitats, including grassland and wetlands provide ecological networks and help to minimise the relative heating of urban areas and thus can reduce the need for heating and cooling within buildings (they cool buildings and urban areas through evapotranspiration), therefore reducing carbon emissions. Strategic planting of shrubs and trees can help protect buildings from excessive summer heat through shading and from wind. Trees, hedgerows and habitats also provide visual amenity, enhance biodiversity and its connectivity and improve air quality in the area. The location and type of species are important factors when integrating these into development. Key factors when choosing appropriate species mixes include soil type, co-occurring needs (e.g. improving air quality and biodiversity), location (e.g. within an urban park, street tree or near to natural area), and management needs. The restoration and creation of semi-natural habitats should enhance nearby ecological networks, across local and landscape scales. According

¹³ Gill, S.E., Handley, J.F., Ennos, A.R. and Pauleit, S. (2007). Adapting cities for climate change: the role of green infrastructure. *Built Environment* 33 (1), 115–133.

to the Lawton Report¹⁴, key elements for successful habitat enhancement and increased biodiversity include: better quality through enhancements of existing wildlife sites and habitats by improved management, restoration and creation of habitats; and bigger wildlife areas by buffering existing habitats and enhanced connections to nearby habitats.

Further information regarding ecological networks within Rushcliffe can be found within the Greater Nottingham Blue-Green Infrastructure Strategy (2022) and Local Plan Part 2.

C) Key resources include:

Urban Tree Manual:

<https://www.forestresearch.gov.uk/tools-and-resources/urban-tree-manual/>

<https://www.gov.uk/guidance/natural-environment>



Figure 46: Deciduous trees provide natural shade in summer whilst allowing sunlight through in winter.

- D) Urban parks and green corridors – The inclusion of urban green space not only creates healthier developments [and opportunities for informal sport and activity](#)¹⁵; these also contribute to urban cooling and reduce run-off. The size of the greenspace is a key determinant: the bigger the greenspace, the greater the cooling effect, even some distance away. Other characteristics of greenspaces, which influence their cooling effectiveness, are their shape and density, the types of trees, shrubs and ground cover present in the greenspace, plant arrangement, the percentage of impervious area and topography. An increase in the ratio between

¹⁴ [Link to 2010 Lawton Report – Making Space for Nature](#)

<https://webarchive.nationalarchives.gov.uk/20130402170324/http://archive.defra.gov.uk/environment/biodiversity/documents/201009space-for-nature.pdf>

¹⁵ [Sport England \(2021\). Uniting the Movement](#)

perimeter and area of a greenspace, which increases the edge effect and the complexity of its shape, reduces the cooling intensity measured during the night. Adequate size of green space is approximately greater than 0.5 ha¹⁶. The integration of urban trees/ landscaping is also a key factor.

- E) Sustainable Drainage Systems (SuDS) - SuDS seek to capture, delay or manage surface water flooding to copy natural drainage by adopting techniques that deal with surface water through collection, storage and filtering before it is released back into the environment. Policy 18 of the Local Plan Part 2 requires the early identification of opportunities to incorporate a range of deliverable Sustainable Drainage Systems in order to increase then levels of water attenuation and quality. It specifically references providing greater resistance to the impacts of change and refers to accommodating and enhancing biodiversity by making connections to existing GI assets.

In addition to reducing flood risk from surface water flooding there are many benefits including a higher quality of environment, improved water quality and enhanced biodiversity. The design of surface water drainage should be considered at the earliest possible stages of the planning process. Ground conditions, in particular permeability, need to be considered, although many SuDS measures are feasible without good infiltration e.g. storage in an underground reservoir (such as a crushed stone layer) before soaking into the ground. Circumstances where SuDS may not be reasonable include contaminated sites and brownfield sites with an existing drainage system. If SuDS cannot be provided on site, consideration should be given to making a contribution to off-site measures. The Construction Industry Research and Information Association (CIRIA) provides excellent guidance set out in their SuDS Manual 2015 (CD73)¹⁷. New guidance on adoption of SuDS by utilities companies is provided below¹⁸.

[Any drainage measures should always consider the potential impact on the wider watercourse and waterlogged archaeology or heritage assets. Historic England has produced a number of documents which provide useful guidance](#)¹⁹.

¹⁶ Forestry Research Note: The role of urban trees and greenspaces in reducing urban air temperatures Madalena Vaz Monteiro, Phillip Handley, James I. L. Morison and Kieron J. Doick, January 2019

¹⁷ [Link to CIRIA SuDS Manual \(C753\)](#)

¹⁸ [Link to Sewer Sector Guidance - A changed approach to surface water sewer management, Water UK](#)

¹⁹ [Link to Historic England \(2015\) Flooding and Historic Buildings](#)

Sustainable Drainage Systems (SuDS)

Examples of types of SuDS include:

- Basins and ponds
- Permeable surfaces
- Filter strips and drains
- Swales
- SuDS measures should be maintained in perpetuity through suitable management arrangements, unless they form part of the highway network's drainage system.
- The design of SuDS should be multifunctional with opportunities should be taken to deliver biodiversity net-gain and recreational open spaces.
- One of the frequently cited barriers to SuDS is issues around adoption by water companies. However, water companies are now able to adopt SuDS provided they meet the definition of a sewer. For more information on this the reader is referred to the guidance in the footnote 13 above.

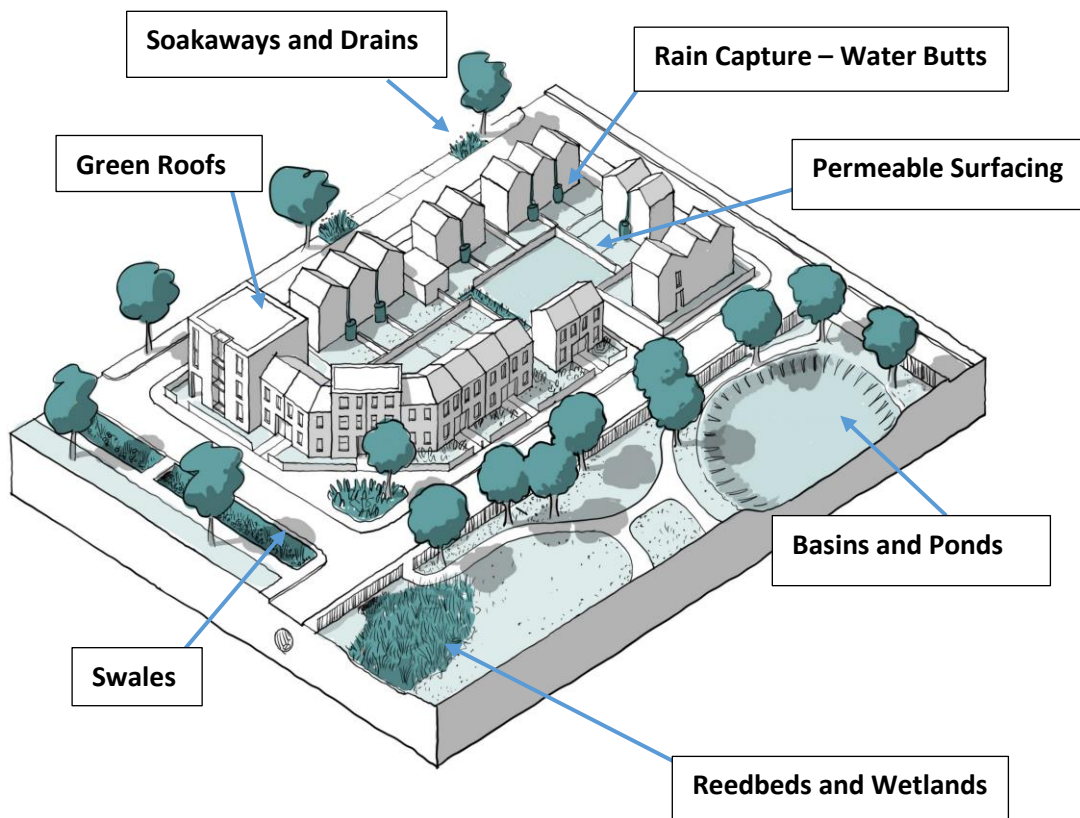


Figure 7. Examples of Sustainable Drainage Systems

Examples of SuDS

Wilford Lane, West Bridgford



Pictures of Sustainable Drainage Ponds at Wilford Lane, West Bridgford

- Two balancing ponds have been incorporated within the site's BGI to help manage surface water.

Chapel Lane, Bingham



Aerial photograph of Sustainable Drainage Lake at Chapel Lane, Bingham

- SuDS will mimic the surface water flows prior to development. SuDS include swales and ditches running generally from the north west to the south east, eventually discharging into the Car Dyke.
- Small informal overflow areas (comprising shallow depressions) and ponds are incorporated into the landscape.
- Remodelling of Car Dyke (a principle water course), which flows west to east through the site, to remove flood risks and form an important green spine/linear park for the neighbourhood. The Car Dyke has been naturalised through the creation of meanders and floodplains. The Car Dyke green and blue corridor includes plays space and priority habitats for wildlife.
- Creation of Parson's Hill Lake provides flood attenuation and forms an important recreational destination and new wetland habitats. The lake takes surface water from the wider residential development, stores it and feeds into Car Dyke to the south. Land around the lake provides recreational open space, including a playground.

- F) Allotments and community gardens and orchards – these are important in helping to reduce food mileage, improve healthy lifestyle choices and support community cohesion. Integrating community gardens and orchards within urban environments can offer both healthy living and biodiversity benefits.
- G) Green corridors and walking and cycling routes – supporting the use of sustainable alternatives to car travel is a key element of sustainable design and layout. [Sport England’s Active Design \(2015\)²⁰ contains 10 principles to consider when designing new development, including walkable communities, connected walking and cycling routes and a network of multi-functional open space.](#) In 2020 Homes England published Building for a Healthy Life²¹, this provides guidance on how to assess and achieve this, in addition to design codes that deliver integrated neighbourhoods and distinctive places²¹. Integrating open space and green corridors into routes where people want and need to travel are key factors to consider. Often desire lines within developable sites give clues as to how an area is used and, where possible, this should be used to inform enhanced walking and cycling routes within and out of a new development. Designing open spaces that have natural surveillance reduces risk in anti-social behaviour developing. The quality of these routes is a key factor.

The Greater Nottingham Blue-Green Infrastructure Strategy (2022) and Local Plan Part 2 identify strategic blue and green infrastructure networks within Rushcliffe and priorities and principles that would facilitate the delivery of optimal blue and green infrastructure.

Historic Environment

[3.46 The retrofitting of heritage properties has a significantly lower carbon impact than building anew and is one of the most effective ways to reduce carbon emissions and eliminate unnecessary waste. Historic England is currently developing practical guidance for the retrofitting of historic buildings²².](#)

[3.47 The energy hierarchy prioritises measures that reduce energy demand, however in traditional buildings, which do not perform in the same way as their modern counterparts, changes made to building fabric as well as to heating or ventilation to increase energy efficiency can lead to unintended consequences, including moisture accumulation, overheating, fabric damage, and poor indoor air](#)

²⁰ [Sport England \(2015\). Active Design](#)

²¹ [Link to Homes England Building for a Healthy Life](#)

²² [Link to Historic England \(2022\). Our Climate Change Strategy](#)

[quality. This is because in contrast to most modern buildings, that depend on impermeable barriers to control the movement of moisture and air, traditional forms of building construction take up moisture from their surroundings and release it according to ambient conditions. Historic England has produced a number of guides providing technical advice on improving the energy efficiency of historic buildings²³.](#)

[3.443.48 Where the installation of renewable energy systems on historic buildings is being considered, this can often be done sensitively. For example, it may be possible to install solar PV in a hidden roof valley, or on an extension/outbuilding with little impact. In other situations, heat pumps may have a lesser impact than solar PV. Historic England has produced advice on the installation of solar PV on historic buildings.²⁴](#)

Sustainability Statement

[3.49](#) Sustainability statements, either standalone or as part of the required Design and Access Statement, are submitted to the LPA at the planning application stage typically require the developer to consider all aspects of development form which can contribute to securing high standards of sustainable development from the outset, including but not limited to:

- [Energy efficiency and carbon emissions of the building, including any off-site carbon offsetting such as tree planting;](#)
- [Material usage, wastage, responsible sourcing and environmental impact, including embodied carbon of construction materials, construction methods and any carbon offsetting;](#)
- Water conservation;
- Flood risk and drainage strategy;
- Transport;
- Health and Wellbeing including day-lighting analysis and thermal comfort;
- ~~Material usage, wastage, responsible sourcing and environmental impact, including embodied carbon;~~
- Pollution issues, low NOx, low global warming potential (GWP), reducing need for mechanical cooling;
- Protecting, enhancing and creating priority habitats and achieving biodiversity net-gain; and
- [Best practice management of the site](#)

~~3.45~~[3.50 A carbon assessment is a useful tool which can be used to gain a full understanding of the net carbon emissions of a development by calculating](#)

²³ [Link to Historic England \(2020\). Advice Note 14, Energy Efficiency and Traditional Homes](#)
[Link to Historic England \(2018\). Energy Efficiency and Historic Buildings](#)

²⁴ [Link to Historic England \(2019\). Energy Efficiency and Historic Buildings Solar Electric \(PV\)](#)

operational carbon emissions, embodied carbon and any carbon off-setting. The carbon can be measured in kilowatt hours.

4. Case **Study**Studies

Abbey Road Depot, West Bridgford



Artist's Impression of Abbey Road Depot Development, West Bridgford

4.1 The development by [Stagfield Group and](#) Peveril Homes for 71 homes located at Abbey Road in West Bridgford was permitted in October 2021. It has been designed and planned as a low energy and sustainable development, with all homes being delivered with new technology to enable a 'gas-less' development.

4.2 The proposal includes the following technologies and systems:

- Air Source Heat Pumps (ASHP)
- Solar Photovoltaics (PV)
- Stack Ventilation
- Rainwater Harvesting
- Infra-red heating systems
- Electric Vehicle Charging (EV)
- Smart Home System

4.3 Optional upgrades for home buyers include:

- Zero Energy Design (ZED) package which includes:
 - Extended Solar PV
 - Tesla Powerwall battery storage

- 4.4 The energy systems and Smart living technology assists the homeowners to efficiently control their energy consumption with seamless integration into their homes.
- 4.5 The Shared Ownership affordable homes benefit from the same energy saving through design, Solar PV and Air Source Heat Pump (ASHP) technology that the Market Sale homes incorporate. The apartments have low energy design and incorporate efficient energy systems.
- 4.6 The overall scheme is estimated to deliver in excess of 50% CO₂ reduction compared to building regulations which is significantly higher than the enhanced standard target of 19% CO₂ reduction for the scheme. Some of the houses (with both ASHPs and Solar PV) will deliver up to 80% CO₂ and energy savings compared to current building regulations by using modern energy systems to save energy and Solar PV to generate electricity. The open market homes are also given the option to be 100% Carbon neutral by upgrading to a larger PV system and include a Tesla battery storage system.

Bingham Arena and Enterprise Centre



4.7 [Bingham Arena and Bingham Enterprise Centre have been built on a brownfield site utilising sustainable design and low-carbon and renewable technologies. The buildings account for 78% fewer carbon emissions than comparable sites. The Architect is YMD Boon and the developer is Willmott Dixon.](#)



Artist's Impression of Bingham Area and Enterprise Centre



Artist's Impression of Bingham Enterprise Centre

4.8 The Arena comprises a swimming pool and fitness centre, café and community hall. The Enterprise Centre has been awarded BREEAM Very Good and comprises twelve self-contained high-spec fibre connected office suites. The buildings utilise the following design features, technologies and systems:

4.9 Active and passive measures to reduce demand:

- Fabric thermal elements in excess of minimum standards;
- LED lighting controlled by presence detection;
- Supply and extract ventilation with heat recovery;
- Use of natural daylight through use of roof lights and large areas of glazing;
- Solar control measures to mitigate solar gain: large vertical shading panels; tinted solar control glass; and partial internal shutters;
- Water efficiency measures including low flush WCs and aerating heads on taps; and
- Use of recycled or low-embodied new materials with a BRE Green Guide A+ sustainability rating.

4.10 Combined heat and power: a leisure centre has a significant and consistent heating load (space heating, domestic hot water and pool water heating) and is suitable for CHP technology.

4.11 Renewable energy technology generation:

- Air-source heat pumps (office building)
- Photo-voltaic arrays (office building)
- Solar thermal (leisure centre)

Appendix 1: Best Practice Sustainability Checklist

Topic	Outline	Full	Aspirational Local Plan Policy
Sustainable Design, construction and climate change mitigation and adaptation			
<ul style="list-style-type: none"> The guidance seeks to encourage minimisation <u>Will</u> the use of primary minerals e.g. in the use of renewable materials, recycled and secondary aggregates, and other recycled and reused materials <u>be minimised?</u> The D+A or Sustainability Statement should address this. 		✓	✓ Local Plan Part 1: Policy 2. 2a)
<ul style="list-style-type: none"> Encourage the re-use of <u>Will</u> demolition/excavation material from the proposed works on site <u>be re-used?</u> Please provide details of where material will be derived and where they will be used. 		✓	✓ Local Plan Part 1: Policy 2. 2a)
<ul style="list-style-type: none"> Minimisation of <u>Will</u> non-mineral construction waste (e.g. packaging, timber, plastics) <u>be minimised</u> on site? 		✓	✓ Local Plan Part 1: Policy 2. 2a)
<ul style="list-style-type: none"> Encourage use of <u>Will</u> locally sourced materials <u>be used</u> on site? 		✓	✓ Local Plan Part 1: Policy 2. 2a)
<ul style="list-style-type: none"> Encourage use of <u>Will</u> sustainably sourced materials <u>be used?</u> 		✓	✓ Local Plan Part 1: Policy 2. 2a)
<ul style="list-style-type: none"> Will the layout and design help to reduce the need to travel and promote use of non-private car modes of travel for example through good pedestrian and cycling connections and access to public transport. Is access to cycle and other vehicle storage convenient and secure? 	✓	✓	Local Plan Part 1: Policy 15.2
<ul style="list-style-type: none"> Has <u>Will</u> the layout of the site, landscaping and orientation of buildings take account of solar gain and other environmental factors to reduce the need for mechanical heating and artificial lighting in the development? 		✓	Local Plan Part 1: Policy 2. 2b)

Topic	Outline	Full	Aspirational Local Plan Policy
<ul style="list-style-type: none"> Will the internal layout of the buildings make best use of solar gain and natural light? 		✓	Local Plan Part 1: Policy 2. 2d)
<ul style="list-style-type: none"> Will operational energy demand be minimised through low energy design and the use of energy efficient fabric? 		✓	✓ Local Plan Part 1: Policy 2.2c)
<ul style="list-style-type: none"> Will passive cooling/ventilation measures be incorporated into the scheme? (commercial developments only) 		✓	✓ Local Plan Part 1: Policy 2.3a)
<ul style="list-style-type: none"> Will the scheme include mechanical cooling or air conditioning and if so why are passive measures not adequate? (commercial developments only) 		✓	✓ Local Plan Part 1: Policy 2.3a)
<ul style="list-style-type: none"> Will the scheme protect and enhance biodiversity and make provision for well-connected green and blue infrastructure on and off site 		✓	Local Plan Part 1: Policies 16 & 17 Local Plan Part 2. Policies 34, 37, 38 & 39.
<ul style="list-style-type: none"> Will any proposed new cycling infrastructure be compliant with LTN 1/20? 		✓	
Water Efficiency			
<ul style="list-style-type: none"> If the scheme is for new dwellings will these be designed to the optional national standard of 110 litres of water per person per day? 		✓	Local Plan Part 2: Policy 12.3
<ul style="list-style-type: none"> Will water efficiency measures such as low flush toilets or grey water recycling be incorporated into the scheme? 		✓	✓ Local Plan Part 2: Policy 12.3
Climate change adaptation			
<ul style="list-style-type: none"> Will the building be adapted to the full range of climate changes expected including hotter drier summers, warmer wetter winters, more frequent heatwaves and more frequent and severe heavy rainfall? 		✓	✓ Local Plan Part 1: Policy 2. 2b) & 2c)
<ul style="list-style-type: none"> Will soft landscaping and permeable surfaces be used instead of hard surfacing? 		✓	Local Plan Part 2. Policy 18
<ul style="list-style-type: none"> Will sustainable urban drainage systems be incorporated. If not why not? 		✓	Local Plan Part 1: Policy 2.10

Topic	Outline	Full	Aspirational Local Plan Policy
			Local Plan Part 2: Policy 18
<ul style="list-style-type: none"> Will rainwater harvesting measures be included in the scheme? 		✓	✓ Local Plan Part 2: Policy 18
Energy			
<ul style="list-style-type: none"> Will the scheme include provision of low or zero carbon energy technologies for example, solar panels or ground source heat pumps? Provide details of the type and location and energy yield? 		✓	✓ Local Plan Part 1: Policy 2. 3c)

Appendix 2: Glossary

Air tightness - Air leakage is measured as the rate of leakage per m² of external envelope per hour at an artificial pressure differential through the envelope of 50 Pa. i.e. x m³/hr/m²@50Pa.

BREEAM Standards - widely used means of reviewing and improving the environmental performance of buildings. BREEAM assessment methods generally apply to commercial developments (industrial, retail etc.).

Building for a Healthier Life: a tool for assessing the design quality of homes and neighbourhoods in England, comprising 20 criteria, to assess the design quality of new housing developments.

Building Regulations: building regulations in the United Kingdom are statutory instruments or statutory regulations that seek to ensure that the policies set out in the relevant legislation are carried out. Building regulations set out required standards for building work and materials and Building Regulations approval is required for most building work in the UK. Part L sets standards for the energy performance of new and existing buildings.

Carbon Neutral - is [a state whereby the same amount of carbon is released into the atmosphere as is removed leaving a zero balance. The best way to achieve this is not to emit more carbon than can be absorbed naturally by carbon sinks, such as trees, plants and soil.](#) ~~a building with zero net energy consumption, meaning the total amount of energy used by the building on an annual basis is roughly equal to the amount of renewable energy created on the site, or by renewable energy sources elsewhere. These buildings consequently contribute less overall greenhouse gas to the atmosphere than similar buildings. They do at times consume non-renewable energy and produce greenhouse gases, but at other times reduce energy consumption and greenhouse gas production elsewhere by the same amount.~~

Carbon Off-setting - Carbon offset means the increased carbon dioxide emissions from a new development are balanced by savings in carbon dioxide elsewhere, by making payment into a carbon offset fund.

Climate Change: long-term changes in temperature, precipitation, wind and all other aspects of earth's climate. It is often regarded as a result of human activity and fossil fuel consumption.

Climate Change Adaptation - Adjustments to natural or human systems in response to actual or expected climatic factors or their effects, including from changes in rainfall and rising temperatures.

Climate Change Mitigation - Action to reduce the impact of human activity on the climate system, primarily through reducing greenhouse gas emissions.

Blue and Green Infrastructure: a network of multi-functional greenspace, water resources, urban and rural which is capable of delivering a wide range of environmental and quality of life benefits and can include parks, open spaces, playing fields, woodlands, wetlands, grasslands, river and canal corridors, allotments and private gardens.

Green House Gases - The greenhouse effect is a warming of Earth's surface and the air above it. It is caused by gases in the air that trap energy from the Sun. These heat-trapping gases are called greenhouse gases. The most common greenhouse gases are water vapour, carbon dioxide, and methane.

Infrastructure: facilities and services to meet the needs of the existing community and to meet the needs of new development. Includes transport infrastructure, public transport, education, health, affordable housing, open space, community facilities etc.

International Inter Governmental Commission on Climate Change: is the leading international body for the assessment of climate change, and a source of scientific information and technical guidance for Parties to the United Nations Framework Convention on Climate Change (UNFCCC), its Kyoto Protocol and Paris Agreement. The IPCC prepares comprehensive Assessment Reports about knowledge on climate change, its causes, potential impacts and response options. The fifth Assessment was published in 2014 and the Sixth is anticipated in 2022.

National Planning Policy Framework (NPPF): document setting out the Government's planning policies for England and how these are expected to be applied.

Sustainable Development: The NPPF defines this as follows: "at a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs".

Renewable Energy: includes energy for heating and cooling as well as generating electricity. Renewable energy covers those energy flows that occur naturally and repeatedly in the environment – from the wind, the fall of water, the movement of the oceans, from the sun and from biomass and ground heat.

U Value - The U-value is a measure of how readily heat will flow through the structure, and describes how much energy in Watts (W) can pass through 1m² of material from inside to outside at a temperature differential of 1 Kelvin (K), or 1°C.

Zero-Carbon Building: When the amount of carbon emissions associated with the building's operational energy on an annual basis is zero or negative. A net zero

carbon building is highly energy efficient and powered from on-site and/or off-site renewable energy sources, with any remaining carbon balance offset. These buildings consequently contribute less overall greenhouse gas to the atmosphere than similar buildings. They do at times consume non-renewable energy and produce greenhouse gases, but at other times reduce energy consumption and greenhouse gas production elsewhere by the same amount.

Zero-Energy Building: A building with zero net energy consumption, meaning the total amount of energy used by the building on an annual basis is roughly equal to the amount of renewable energy created on the site, or by renewable energy sources elsewhere.

Appendix 2: Draft Low Carbon and Sustainable Design Supplementary Planning Document – summary of consultation responses

Draft Low Carbon Supplementary Planning Document – Summary of Consultation Responses

Mod Ref	Consultee	Page / Paragraph	Comment	Response to comment
1	East Leake Parish Council	General	The Parish Council supports adoption of the SPD.	Noted
2	Ruddington Parish Council	General	The Parish Council supports adoption of the SPD.	Noted
3	Historic England	General	Historic England supports the preparation of the SPD. Recommend a section on the historic environment and a link to the Local Plan heritage policies. Historic England’s climate change strategy may help with policy wording. https://historicengland.org.uk/what-s-new/features/climate-change/our-strategy/#vision	An additional section on the Historic Environment at 3.46-3.48 with links to Historic England guidance has been added.
4	Historic England	2.15	Support reference to compatibility with heritage.	Noted
5	Historic England	3.5	Support references to flood prevention. Add a sentence to have regard to the significance of heritage assets and their setting at the masterplanning stage	Additional text has been included at paragraph 3.5: “When planning for and designing layouts, this needs to consider aspects such as building orientation, access to sustainable transport, connectivity, green infrastructure, water conservation and management, biodiversity net gains, <u>heritage assets and their settings</u> etc. from the on-set of the design process. In doing so this can

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Mod Ref	Consultee	Page / Paragraph	Comment	Response to comment
				reduce costs and time by beginning to integrate cross-cutting policy needs early on in the process.”
6	Historic England	General	We wish to see consideration given to the impact on waterlogged archaeology and heritage assets of any drainage initiatives. https://historicengland.org.uk/advice/technical-advice/flooding-and-historic-buildings/	Additional text has been included (paragraph 3.45E): <u>“Any drainage measures should always consider the potential impact on the wider watercourse and waterlogged archaeology or heritage assets. Historic England has produced a number of documents which provide useful guidance¹.”</u>
7	Historic England	3.13	Welcome reference to timber triple glazing. Recommend amending text from ‘heritage buildings’ to ‘heritage assets’.	Additional text has been included at paragraph 3.14: “Triple low e glazed slim units to fit wooden frames within Conservations Areas or heritage buildings <u>assets</u> may also be used.”
8	Natural England	3.37-3.43	Natural England supports the SPD, in particular the section on Blue and Green Infrastructure. Reference could be made to Natural England’s England’s Green Infrastructure Framework https://designatedsites.naturalengland.org.uk/GreenInfrastructure/Home.aspx	Additional text has been included at paragraph 3.38: <u>“The Green Infrastructure Framework² was launched in January 2023 and is a commitment in the Government’s 25 Year Environment Plan. It supports the greening of our towns and cities and connections with the surrounding landscape as part of the Nature Recovery Network and has been produced to help local planning authorities and developers meet the requirements in the NPPF to consider Green Infrastructure in Local Plans and in new development.”</u>
9	Natural England	SEA	Natural England agrees that the	Noted.

¹ [Link to Historic England Flooding and Historic Buildings](#)

² [Link to Natural England \(2023\) Green Infrastructure Framework](#)

Mod Ref	Consultee	Page / Paragraph	Comment	Response to comment
			SPD does not require Strategic Environmental Assessment nor an Appropriate Assessment under the Habitats Regulations.	
10	Sport England	General	Sport England's new strategy 'Uniting the Movement' seeks to address the significant climate footprint of sport. The sustainable planning and design of sport and leisure facilities and the promotion of physical activity through the design of where we live and work, play a vital role. Active Design is design guidance produced by Sport England whose aim is to encourage physical activity in our living and working environments. Link to 'Uniting the Movement' Link to 'Active Design'	Additional text has been included at paragraph at 3.45D: "The inclusion of urban green space not only creates healthier developments and opportunities for informal sport and activity ³ ; these also contribute to urban cooling and reduce run-off." Additional text has been included at paragraph 3.45G "Green corridors and walking and cycling routes – supporting the use of sustainable alternatives to car travel is a key element of sustainable design and layout. <u>Sport England's Active Design (2015)⁴ contains 10 principles to consider when designing new development, including walkable communities, connected walking and cycling routes and a network of multi-functional open space...."</u>
11	Environment Agency	General	The Environment Agency supports the SPD and makes reference to the following with regards to overheating in buildings: <u>The UK Green Building Council New Homes Policy Playbook</u>	Additional text has been included at paragraph 3.13 " <u>Solar heat gain can lead to overheating, especially during the summer months through windows facing south to west and it is important to consider measures, ideally at the design stage which provide external protection so as to reduce the amount of sunlight entering the building. External protection can be provided by a brise-soleil, a</u>

³ Sport England (2021). Uniting the Movement

⁴ Sport England (2015). Active Design

Mod Ref	Consultee	Page / Paragraph	Comment	Response to comment
			<p><u>The LETI Climate Emergency Design Code</u> <u>Zero Carbon Hub: Understanding Overheating Where to Start</u> <u>BRE Overheating in Dwellings Guidance Document</u> <u>The Good Homes Alliance's Overheating in New Homes tool</u> <u>LGA's Climate Action: Energy, Planning and Housing page</u></p>	<p><u>horizontal louvered screen to protect windows and walls from the sun, or an awning. External blinds and shutters will provide the most protection but have the disadvantage of restricting daylight and views to the outside. Providing a light-coloured finish to flat roofs, for example on the top floor of an apartment building can reflect sunlight and reduce the potential for overheating. The Building Research Establishment and the Good Homes Alliance have produced guidance⁵ on overheating."</u></p>
12	Pedals	General	<p>Pedals welcomes the references to cycling and other Active Travel. Recommend a section on Active Travel which references Active Travel England as a statutory consultee and the Department for Transport's documents: Decarbonising Transport (2021) Gear Change (2020) Cycle Infrastructure Design Guidance (Local Transport Note 1/20) (2020) Policy should require the design of all new cycling infrastructure to be LTN 1/20 compliant.</p>	<p>Section on Active Travel is inserted at paragraph 2.12 including links to DfT's 'Gear Change' and LTN 1/20.</p> <p><u>"Active Travel is an integral part of low carbon and sustainable design and can help tackle climate change as well as improve air quality, health and well-being. The Government has set a vision for walking and cycling to make up half of all journeys in urban areas by 2030 and established Active Travel England in 2022, a statutory consultee within the planning system, which has the responsibility for making walking, wheeling and cycling the preferred choice for transport. The Department for Transport published Local Transport Note 1/20 (LTN 1/20) in 2020 which provides guidance for the design of cycle infrastructure. Core design principles within LTN 1/20 seek to deliver cycle</u></p>

⁵ [Link to BRE \(2016\). Overheating in Dwellings](#)

[Link to Good Homes Alliance \(2019\). Overheating in New Homes](#)

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				<p><u>infrastructure which is simple to navigate, direct, safe, well-maintained and attractive to use. It is appropriate that all new cycling infrastructure which is part of major development is compliant with LTN 1/20.</u>"</p> <p>Sustainability Checklist includes a question on cycle infrastructure.</p>
13	Pedals	General	<p>There is the potential to maximise cycle links between new major development in Gamston, Tollerton, Radcliffe and Cotgrave to the planned foot-cycle bridge which will connect Lady Bay to Trent Basin.</p> <p>Consideration should be given to a new foot-cycle bridge connecting Ratcliffe to Long Eaton/Toton.</p>	These strategic issues are beyond the scope of the SPD and are covered by the emerging Greater Nottingham Strategic Plan currently being prepared by the Greater Nottingham Planning Partnership.
14	Coal Authority	General	No specific comments to make.	Noted.
15	Susan Edwards	Case Study Abbey Road	PV panels and battery storage in all new housing should be standard, as per the Abbey Road development.	It is not possible to require PV panels and battery storage as mandatory, however this is encouraged through the use of the Best Practice Sustainability Checklist in Appendix 1.
16	Susan Edwards	General	The SPD does not cover the location of new recycling facilities/school expansion and cycle paths. Local facilities and	These strategic issues are beyond the scope of the SPD and are covered by the emerging Greater Nottingham Strategic Plan and the Nottingham and Nottinghamshire Waste Local Plan currently being prepared by the

Mod Ref	Consultee	Page / Paragraph	Comment	Response to comment
			services need to be accessible by foot/cycling.	Greater Nottingham Planning Partnership and Nottingham City Council and Nottinghamshire County Council respectively.
17	Harworth	Executive Summary	The executive summary references the Council's commitment to becoming "carbon neutral" (for its own operations) by 2030; national policy is targeting "Net Zero Carbon" at this stage, and it would be appropriate to reflect this language.	"Carbon neutral" is retained as this is the term used in the Council's official commitment document.
18	Harworth	Executive Summary	The executive summary references both zero carbon and zero energy buildings, the descriptions of these terms could be set out more clearly to avoid confusion.	Noted that it is important not to conflate a zero-carbon building with a zero-energy building.
19	Harworth	Glossary	The executive summary references both zero carbon and zero energy buildings, the descriptions of these terms could be set out more clearly to avoid confusion.	The definition of carbon neutral within the Glossary has been changed to: <u>"Carbon Neutral – is a state whereby the same amount of carbon is released into the atmosphere as is removed leaving a zero balance. The best way to achieve this is not to emit more carbon than can be absorbed naturally by carbon sinks, such as trees, plants and soil. a building with zero net energy consumption, meaning the total amount of energy used by the building on an annual basis is roughly equal to the amount of renewable energy created on the site, or by renewable</u>

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				<p>energy sources elsewhere. These buildings consequently contribute less overall greenhouse gas to the atmosphere than similar buildings. They do at times consume non-renewable energy and produce greenhouse gases, but at other times reduce energy consumption and greenhouse gas production elsewhere by the same amount.</p> <p>Add following definitions for a 'Zero Carbon Building' and a 'Zero Energy Building' to the Glossary.</p> <p><u>“Zero Carbon Building:</u> <u>When the amount of carbon emissions associated with the building’s operational energy on an annual basis is zero or negative. A net zero carbon building is highly energy efficient and powered from on-site and/or off-site renewable energy sources, with any remaining carbon balance offset. These buildings consequently contribute less overall greenhouse gas to the atmosphere than similar buildings. They do at times consume non-renewable energy and produce greenhouse gases, but at other times reduce energy consumption and greenhouse gas production elsewhere by the same amount.”</u></p> <p><u>“Zero Energy Building:</u> <u>A building with zero net energy consumption, meaning the total amount of energy used by the building on an annual basis is roughly equal to the amount of renewable energy created on the site, or by renewable energy sources elsewhere.”</u></p>
20	Harworth	Chapter 2	Reference to emerging legislation regarding	Additional text has been included at paragraph 2.11:

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			Biodiversity Net Gain could be made.	<u>“Biodiversity net gain (BNG) is an approach to development, and/or land management, that aims to leave the natural environment in a measurably better state than it was beforehand and has a role to play in addressing the climate emergency. Under the Environment Act 2021, all planning permissions granted in England (with a few exemptions) will have to deliver at least 10% biodiversity net gain from an as yet unconfirmed date, expected to be in November 2023. The planning guidance set out in this document includes some of the ways which can contribute to biodiversity net gain.”</u>
21	Harworth	2.13 2.21	Policy 2 of the Core Strategy and Policy 12 of Part 2 of the Local Plan refer to different requirements for water consumption in new homes.	Policy 12 of Part 2 of the Local Plan (2019) supersedes Policy 2 of the Core Strategy (2014) and is in conformity with the optional technical standard for water efficiency within Building Regulations.
22	Harworth	3.2	The requirement for a Sustainability Statement is broadly supported, however, as worded, it is not clear what level of sustainability and/or Net Zero Carbon credentials would be required or how this would then be weighted or applied through the application process. Additional clarification around this would be helpful for applicants, for example, will	<p>The Council may set out a specific method of carbon assessment and set a requirement for this to demonstrate Net Zero Carbon within emerging policy, once greater clarity is achieved on the current planning reforms. However, the SPD will encourage the inclusion of a carbon assessment in the Sustainability Statement.</p> <p>The text at paragraph 3.49 is amended to provide further clarity, as follows:</p> <ul style="list-style-type: none"> • <u>“Energy efficiency and carbon emissions of the building, including any off-site carbon offsetting such as tree planting;</u>

Mod Ref	Consultee	Page / Paragraph	Comment	Response to comment
			information regarding both embodied and operational carbon be required?	<ul style="list-style-type: none"> • <u>Material usage, wastage, responsible sourcing and environmental impact, including embodied carbon of construction materials, construction methods and any carbon offsetting;</u>” <p>And the following text at paragraph 3.50 (Sustainability Statement) has been added to provide clarity:</p> <p><u>“A carbon assessment is a useful tool which can be used to gain a full understanding of the net carbon emissions of a development by calculating operational carbon emissions, embodied carbon and any carbon off-setting. The carbon can be measured in kilowatt hours.”</u></p> <p>An additional section relating to planning reform is added also to help clarify matters (paragraph 2.13):</p> <p><u>“As a commitment to the Net Zero Strategy, the Government intends to carry out a fuller review of the NPPF following Royal Assent of the Levelling-up and Regeneration Bill, including consultation on a potential approach to carbon assessment which would be used as a tool for assessing individual developments in the decision-making process. The guidance set out in this document encourages the inclusion of a carbon assessment within the Sustainability Statement in order to understand operational carbon emissions, embodied carbon and any off-setting measures. In future, the Council may set out a policy requirement for a specific method of carbon assessment and the requirement to</u></p>

Mod Ref	Consultee	Page / Paragraph	Comment	Response to comment
				<u>demonstrate Net Zero Carbon, following implementation of the current planning reforms.”</u>
23	Harworth	3.4	Paragraph 3.4 seeks to “maximise renewable energy efficiency.” Further guidance on what an acceptable level of efficiency would be and how it would be assessed would be useful.	The Council will update the SPD following the adoption of policy in the emerging Local Plan.
24	Harworth	3.5 3.6	Paragraph 3.5 and 3.6 sets out considerations which should form part of the design process. The concepts covered within these sections include solar gain, SUDs, air quality, active travel, urban cooling and Passivhaus. We suggest that the section is redrafted to more clearly set out the Council’s requirements from the design of residential schemes, and how these requirements will be assessed through the application process.	The Council will update the SPD following the adoption of policy in the emerging Local Plan.
25	Harworth	3.11	Paragraph 3.11 notes that “The elevation with the most potential for solar gain should have a minimum distance of 11 m from the next building.” This would	Noted. It is accepted that an 11m separation distance may not always be attainable. The purpose of this guidance is to make this a consideration in the design of all new residential development.

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			clearly be unattainable for most residential development sites, having a significant impact on the densities which could be achieved and conflicting with the NPPF requirement to make efficient use of land.	
26	Harworth	3.13-3.24	“Minimising Energy Use”. It should be clarified whether the techniques mentioned are examples of best practice or if the Council intend to promote them as a way of going above and beyond existing local and national policy. If the latter is the case, the requirements would need to be justified and measurable.	The Council will update the SPD following the adoption of new policy in the emerging Local Plan.
27	Harworth	3.30	Paragraph 3.30 suggests that “materials should be locally sourced”, however it is important to make allowances for the availability of materials, in particular high-tech solutions which may not be accessible locally.	Noted. It is accepted that it is not always possible to use locally-sourced materials.
28	Harworth	p.18	The section on BGI covers a variety of sustainability concepts and references research projects, but lacks	The Council will update the SPD following the adoption of policy in the emerging Local Plan. Any proposal for SuDs would need to be compliant with relevant legislation and planning practice guidance in any case.

Mod Ref	Consultee	Page / Paragraph	Comment	Response to comment
			clarity on how these should be considered through the planning process. In particular, the references to SuDS should include the Flood Water Management Act and national planning guidance.	
29	Stagfield Group	p.11	Suggested word change. Considering different layout options to achieve maximum <u>optimal</u> solar gain and integration of solar panels.	Amended text at page 13 bullet 1: “Considering different layout options to achieve maximum <u>optimal</u> solar gain and integration of solar panels;”
30	Stagfield Group	4. Case Study	Please may your reference Stagfield Group as developer in the Case Study. 4.1 The development by <u>Stagfield Group and Peveril Homes</u> for 71 homes located at Abbey Road in West Bridgford was permitted in October 2021.	Amended text at paragraph 4.1: “The development by <u>Stagfield Group and Peveril Homes</u> for 71 homes located at Abbey Road in West Bridgford was permitted in October 2021.”
31	RES Group	General	Although the SPD is aimed at low carbon and sustainable design, there is no discussion or policy context outlined in relation to the role of commercial scale renewable energy developments, such as solar farms. It is felt that this is a missed opportunity to	The Council has prepared supplementary guidance for large-scale solar development, and will commission a Solar Landscape Sensitivity Study in July 2023.

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			highlight the importance of these types of developments and their role in sustainable development.	
32	Peter Jagger	General	<p>The following guides are still of relevance: 'Sustainable Developer Guide for Nottinghamshire' and 'A Sustainable Approach to Smaller Building Projects', both led by Nottinghamshire County Council.</p> <p>Recommend the addition of the Town and Country Planning Association's publication 'The Climate Crisis (2021)'.</p>	Noted. The guidance referred to is no longer published by Nottinghamshire County Council.
33	Peter Jagger	Appendix 1	The majority of the recommendations are aspirational and the text should be more firmly expressed.	The 'aspirational' column has been removed from Appendix 1 and replaced with a column which relates each item in the checklist to the relevant Local Plan policy. Paragraph 3.1 is amended to clarify that Appendix 1 sets out best practice.
34	Peter Jagger	4. Case Study	More case studies and best practice housing layout sketches are required.	Add case study: Bingham Arena and Enterprise Centre.
35	Ruth Edwards MP	3.5	The language should be stronger than " <i>encouraged</i> ".	The SPD can <i>encourage</i> , but not <i>require</i> pre-application discussion.

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36	Ruth Edwards MP	Appendix 1	Roofs should be designed to incorporate solar panels by default, with opt out clauses if a development cannot meet the conditions that solar requires.	The 'aspirational' column has been removed from Appendix 1 and replaced with a column which relates each item in the checklist to the relevant Local Plan policy. Paragraph 3.1 is amended to clarify that Appendix 1 sets out best practice.

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**Appendix 3: Draft Low Carbon and Sustainable Design
Supplementary Planning Document
– Sustainability Appraisal and Appropriate
Assessment Screening Opinion Report**



**Draft Low Carbon and Sustainable
Design Supplementary Planning
Document**

**Strategic Environmental Assessment
and Appropriate Assessment**

Screening Opinion Report

Date TBD

Contents

- 1 Introduction
- 2 Legislation
 - 2.1 Strategic Environmental Assessment
 - 2.2 Habitats Regulation Assessment
- 3 Low Carbon and Sustainable Design Supplementary Planning Document (SPD)
- 4 Low Carbon and Sustainable Design SPD SEA screening assessment
- 5 Low Carbon and Sustainable Design SPD HRA appropriate assessment screening

1 Introduction

- 1.1 This screening report has assessed the contents of the Draft Low Carbon and Sustainable Design Supplementary Planning Document (SPD) in order to identify potential environmental impacts that would require a Strategic Environmental Assessment in accordance with the European Directive and associated Environmental Assessment of Plans and Programmes Regulations 2004. If significant modifications are made following consultation on the draft SPD or advice from statutory consultees, the plan will be screened again to identify environmental impacts.
- 1.2 It also determines whether or not the contents of the draft SPD would require a Habitats Regulations Appropriate Assessment in accordance with European Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora, i.e. the 'Habitats Directive' and the associated Conservation of Habitats and Species Regulations 2010 (otherwise known as the 'Habitats Regulations').
- 1.3 European Directives have been transposed into national law through UK legislative statutory instruments (further details of which will be provided in section 2 below) to determine whether they would have significant environmental effects (SEA) or have an impact on any internationally designated wildlife sites (HRA). This has resulted in the SPD needing to be screened in relation to whether it needs to be supported by a Strategic Environmental Assessment and / or a Habitats Regulations Assessment (HRA), i.e. an 'appropriate assessment'.
- 1.4 It should be noted that the adopted Rushcliffe Local Plan Part 1: Core Strategy (December 2014) has been subject to a full Strategic Environmental Assessment and Sustainability Appraisal in accordance with the legislation, as well as an appropriate assessment scoping report in relation to the Habitats Regulations (which concluded that a full Appropriate Assessment of it would not be required). As this SPD provides additional guidance that delivers the Low Carbon and Sustainable Design requirements as set out in the Core Strategy (notably Policies 2: and 10: Design and Enhancing Local Identity), these assessments will be taken into account in providing this screening opinion.
- 1.5 In addition, the Local Plan Part 2: Land and Planning Policies was adopted in October 2019. This document is also supported by a Sustainability Appraisal which includes the Strategic Environmental Assessment, and Habitats Regulations Assessment. These will also be taken into account where appropriate.

- 1.6 This screening report details whether the draft SPD is likely to require an SEA or HRA. It is concluded that a Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment are not required to accompany the draft SPD. Details of the reasoning behind these conclusions are provided within sections 4 and 5 of this report.
- 1.7 This SEA and HRA Screening Opinion will be sent to the three statutory consultees (Historic England, Natural England, and Environment Agency) to seek their views on its contents.

2 Legislation

2.1 Strategic Environmental Assessment

2.1.1 The basis for requiring Strategic Environmental Assessment is European Directive 2001/42/EC and was transposed into English Law by the Environmental Assessment of Plans and Programmes Regulations 2004.

2.1.2 Detailed guidance of these Regulations can be found in the Government publication, 'A Practical Guide to the Strategic Environmental Assessment Directive' (ODPM 2005). Further information on SEA is contained within the Government's National Planning Practice Guidance.

2.1.3 The objective of the SEA Directive (2001/42/EC) is set out in Article 1 therein, which states:

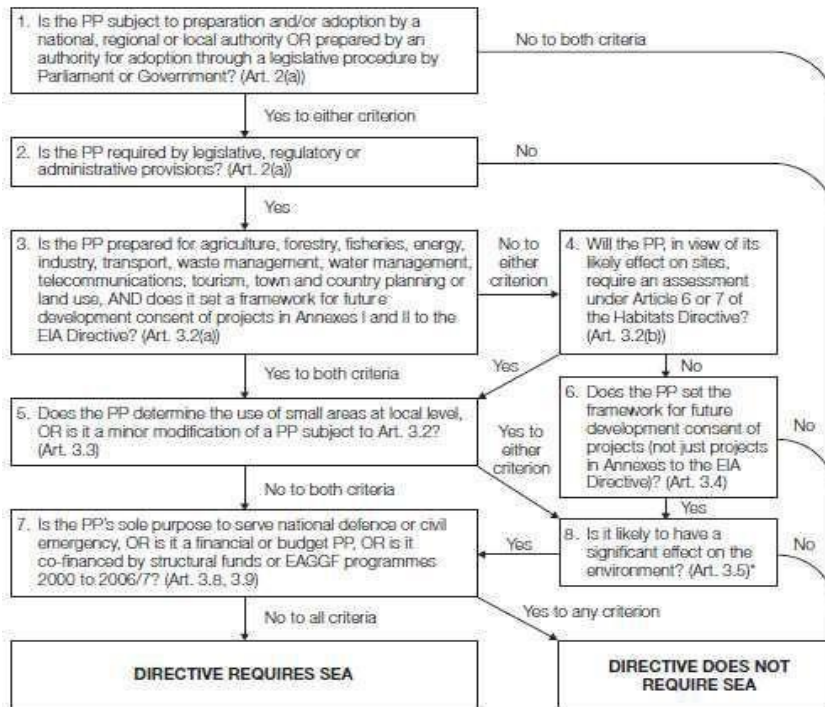
'The objective of this Directive is to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable development, by ensuring that, in accordance with this Directive, an environmental assessment is carried out of certain plans and programmes which are likely to have significant effects on the environment.'

2.1.4 To establish if a 'plan' or 'programme' needs to be accompanied by a full SEA, a "screening" assessment is required against a series of criteria set out in the SEA Directive. These are illustrated in Figure 1 below.

2.1.5 National Planning Practice Guidance states that an SEA will only be required in exceptional circumstances.¹

¹ Paragraph: 008 Reference ID: 61-008-20190315

Figure 1: Criteria against which the requirement for SEA to be screened



2.1.6 Assessing the significance of the environmental effects (as set out within stage 8 of Figure 1 above) that a SPD will have depends on the requirements within it. The criteria for assessing significance are referred to in Article 3.5 and set out within Annex II of the SEA Directive, as shown below:

Figure 2: Criteria for assessing significance

1. The characteristics of plans and programmes, having regard, in particular, to
 - The degree to which the plan or programme sets a framework for projects and other activities, either with regards to location, nature, size and operating conditions or by allocating resources;
 - The degree to which the plan or programme influences other plans and programmes including those in a hierarchy;
 - The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;
 - Environmental problems relevant to the plan or programme;
 - The relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. Plans and programmes linked to waste- management or water protection)
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to
 - The probability, duration, frequency and reversibility of the effects;
 - The cumulative nature of the effects;
 - The transboundary nature of the effects;
 - The risks to human health or the environment (e.g. due to accidents);
 - The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);The value and vulnerability of the area likely to be affected due to:
 - Special natural characteristics or cultural heritage;
 - Exceeded environmental quality standards or limit values;
 - Intensive land-use;
 - The effects on areas or landscapes which have a recognised national, Community or international protection status.

2.2 Habitats Regulations Assessment

2.2.1 A Habitat Regulations Assessment (HRA) is required for a plan or project to assess the potential implications for European wildlife sites, i.e. 'European sites' or 'Natura 2000 sites'. It explores whether the implementation of a plan or project would harm the habitats or species for which the European sites are designated. The European sites are:

- Special Protection Areas (SPAs) – designated by the Birds Directive (79/409/EEC as amended and 2009/147/EC), and:
- Special Areas of Conservation – designated by the Habitats Directive (92/43/EEC).

2.2.2 In addition to SPAs and SACs, Ramsar sites are designated under the Ramsar convention. The Ramsar convention's mission is to conserve and sustainably utilise wetland habitats. Although Ramsar sites are not covered by the Habitats Regulations, as a matter of Government Policy, they should be treated in the same way as European wildlife sites (i.e. SPAs and SACs). European wildlife sites and Ramsar sites are collectively known as internationally designated wildlife sites.

2.2.3 The basis for requiring a Habitats Regulations Assessment stems from the European Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora. This has been transposed into UK legislation by the Conservation of Habitats and Species Regulations 2010.

3 Low Carbon and Sustainable Design Supplementary Planning Document

3.1 If adopted, the Low Carbon and Sustainable Design SPD will provide guidance on the application of Local Plan Part 1: Core Strategy Policies 2 (Climate Change) and 10 (Design and Enhancing Local Identity) in particular and pertinent national policy and guidance within the National Planning Policy Framework and Planning Practice Guidance. Its key role is to ensure that the requirements for achieving low carbon related development and sustainable design as set out within the Local Plan are delivered and that they contribute to the creation of sustainable communities as required by national policy.

3.2 The table below lists those issues which the SPD addresses:

Low Carbon and Sustainable Design issues covered in the SPD
Sustainable layout and design
Maximising site potential, including Solar Orientation
Minimising Energy Use, including in relation to glazing, thermal mass, insulation, EV points and domestic lighting, renewable energy technology for buildings, solar panels, ground source heat pumps, air source heat pumps and biomass boilers ⁵
Protecting and conserving water, including rainwater harvesting and recycling grey water
Building space and material
Maximise indoor environmental quality, including ventilation and the operation of buildings and their maintenance
Blue and Green infrastructure, including landscaping and green roofs

4. Low Carbon and Sustainable Design SPD SEA screening assessment

- 4.1 The issues and guidance in the draft SPD (those listed in Section 3) have been used to undertake this screening exercise against the criteria in Figures 1 and 2 in Section 2 above. If the content of the SPD is amended significantly following consultation and prior to adoption, the SPD would be subject to a further screening exercise to explore whether any significant effects would occur.
- 4.2 An SEA was completed as part of the adopted Rushcliffe District Council Local Plan Part 1 (Core Strategy) (December 2014) and submitted Local Plan Part 2 (Land and Planning Policies) and this has been taken into account in this screening assessment.
- 4.3 Table 1 (below) outlines the results of the assessment against the criteria in Figures 1 and 2 in Section 2.

Table 1: SEA Criteria for determining whether an Environmental Report is required.

Stage	Yes / No	Reason
1. Is the SPD subject to preparation and/or adoption by a national, regional, or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a))	Yes (go to Q.2)	The SPD will be adopted by Rushcliffe Borough Council as part of the statutory development plan following consultation on the draft SPD.
2. Is the SPD required by legislative, regulatory, or administrative provisions? (Art. 2(a))	Yes (go to Q.3)	The preparation and adoption of an SPD is optional. However, once adopted by Rushcliffe Borough Council, it will become a material consideration during the determination of planning applications. It is therefore important that the screening process considers whether the SPD is likely to have a significant effect and hence whether an SEA is required.
3. Is the SPD prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use <u>AND</u> does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art 3.2(a))	No (go to Q.4)	SPD seeks to help ensure developments (which accord with the Local Plan) utilise low carbon and sustainable design methods as far as is possible (based on applicable Local Plan requirements). It does not set a framework for future consents of either Annex I or Annex II of the EIA Directive, which are, as a rule major infrastructure, agricultural or tourism and leisure developments.

Stage	Yes / No	Reason
4. Will the SPD, in view of its likely effect on sites, require an assessment under Article 6 or 7 of the Habitats Directive? (Art. 3.2 (b))	No (go to Q.6)	Screening by Rushcliffe BC of development sites in Core Strategy and Land and Planning Policies did not identify any impacts on habitats. Notwithstanding this, the provision of low carbon and sustainable design is unlikely to have implications upon internationally protected sites. As the SPD does not contain 'policies', including allocations and the Borough is a considerable distance from the nearest internationally protected site or prospective site, it is concluded that it is also unlikely to significantly affect them (see HRA screening below).
6. Does the SPD set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art 3.4)	Yes (go to Q.8)	<p>Although the SPD does not form part of the development plan, it is a material consideration that will inform decisions on those applications where Core Strategy Policies 2 (Climate Change) and 10 (Design and Enhancing Local Identity) in particular are applicable.</p> <p>Whether the plan requires a full SEA will depend on whether the policies would have a significant effect on the environment.</p>
<p>8. Is the SPD likely to have a significant effect on the environment?</p> <p>(Annex II of the European Directive 2001/42/EC on the assessment of certain plans and programmes on the environment sets out the criteria for determining the likely significance of effects on the environment. This section will assess the SPD against these criteria)</p>	No	<p>The SPD will not have a significant effect on the environment.</p> <p>The SPD does not allocate sites or contain criteria which will influence the location of development. These policy decisions were taken through the Local Plan process.</p> <p>Rather the SPD seeks to help ensure developments (which accord with the Local Plan) utilise low carbon energy and sustainable design methods as far as is possible (based on applicable Local Plan requirements). The provision of low carbon and sustainable design will not have significant (negative) effects on biodiversity, historic environment, landscape, natural resources, water or flooding, or air quality.</p> <p>The provision of low carbon energy related development and sustainable design should have a positive effect on human health and wellbeing.</p>
SEA IS NOT REQUIRED		

Conclusion

- 4.4. On the basis of the SEA screening exercise in Table 1 above, it is considered that significant effects are unlikely and therefore, the draft Low Carbon and Sustainable Design SPD does not require a Strategic Environmental Assessment (SEA).
- 4.5. Overall the SPD would have neutral or even positive effect on the environment (on health and wellbeing).

- 4.6. If, following consultation on the draft SPD, modifications to the SPD have implications for the environment, these should be screened again to ensure a full SEA is not required.

5 Low Carbon and Sustainable Design SPD HRA appropriate assessment screening

- 5.1. This is the Habitats Regulations Assessment (HRA) of the draft Low Carbon and Sustainable Design SPD. It accompanies the draft SPD and comprises the screening of likely significant effects of this guidance (which is a material consideration when determining planning applications) on designated and prospective European or internationally protected nature conservation sites.
- 5.2. As the SPD is subordinate to the adopted Local Plan Part 1 (Core Strategy) and Local Plan Part 2 (Land and Planning Policies), provided the SPD does not amend the policies within them (which it cannot), the conclusions of their respective HRAs provides a clear indication of the likelihood of significant effects upon an internationally designated site.

Local Plan Part 1: Core Strategy

- 5.3. Rushcliffe Borough Council adopted the Core Strategy in December 2014. This Development Plan Document contains strategic land allocations and planning policies which determine the minimal level of development at Ruddington. The Core Strategy also contains general policies on sustainable development, climate change, green belt, housing mix and tenure, design, transport, green infrastructure and biodiversity.
- 5.4. In accordance with the European Habitats Directives and Conservation of Habitats and Species Regulations 2017, the Core Strategy underwent a Habitats Regulations Assessment which determined that the plan would not significantly affect any European protected nature conservation site.

Local Plan Part 2: Land and Planning Policies

- 5.5. Local Plan Part 2 was adopted in October 2019, it was submitted for examination with a HRA Screening that concluded that the Plan would not result in likely significant effects alone or in combination. An addendum to the HRA assessed whether the Court of Justice of the European Union (12 April 2018) affected this conclusion. It was determined that it did not.
- 5.6. The conclusion that the Plan would be unlikely to have significant effects was supported by Natural England, was not challenged at examination. The inspector agreed with this conclusion.

Screening of Likely Significant Effects

- 5.7. Given the conclusions of the Local Plan HRAs it is unlikely that a subordinate SPD, which accord with the policies within the Local Plan, would significantly affect an internationally protected nature conservation site and trigger the requirement for an appropriate assessment.

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Cabinet

Tuesday, 11 July 2023

Shaw Street Cemetery, Ruddington

Report of the Director – Development and Economic Growth

Cabinet Portfolio Holder for Business and Growth, Councillor A Brennan

1. Purpose of report

- 1.1. Shaw Street Cemetery in Ruddington is the responsibility of Rushcliffe Borough Council after it was transferred following reorganisation in 1974. The site has been managed as a closed cemetery with only one record of ashes being interned there since the transfer, which took place in the mid 1980's. The adjoining Vicarage Road Cemetery is still operational, owned and managed by Ruddington Parish Council. Following a recent enquiry from a local resident it has been identified that there is no record of formal closure of Shaw Street Cemetery.
- 1.2. This report is, therefore, seeking Cabinet approval for the formal closure of the Rushcliffe Borough Council owned Shaw Street Cemetery in Ruddington to regularise the current position.

2. Recommendation

It is RECOMMENDED that Cabinet approves the closure of the Rushcliffe Borough Council owned cemetery, known as Shaw Street Cemetery, Ruddington.

3. Reasons for Recommendation

To close a cemetery there are few formalities that the Borough Council needs to take, except to evidence that the decision has been taken. The report is required to formally record the closure of the Shaw Street Cemetery to regularise the current position.

4. Supporting Information

- 4.1. Rushcliffe Borough Council inherited Shaw Street Cemetery during reorganisation in 1974. The maintenance responsibility was held by Ruddington Parish Council until 1987, but maintenance has since been undertaken by Rushcliffe Borough Council. The land ownership map can be found at Appendix A.

- 4.2. In 2000, the Borough Solicitor made enquiries to the Privy Council, Home Office and Diocese and was unable to confirm formal closure. There is no record that Basford Rural District Council (the authority that existed prior to 1974 reorganisation) formally took steps to close the cemetery, nor that Rushcliffe Borough Council did since it took over management of it. It merely fell into disuse as few plots were available and the neighbouring Vicarage Road Cemetery was active.
- 4.3. Further to this, the Council has discovered that the cemetery has no affiliation to the local diocese, so would not have been included in the closure order for a local churchyard. It is, therefore, the responsibility of Rushcliffe Borough Council to formally close the cemetery rather than the Church of England.
- 4.4. The Council has sought advice of the Senior Coroners Caseworker from the Coroners Division, Ministry of Justice. They have confirmed that there are very few formalities involved with closing a local authority burial ground as compared with closure of the Church of England churchyard. The Council need only make the decision that the site is full or otherwise that it is no longer practicable to continue to use it. There is no requirement to register this decision with the Secretary of State or advertise the decision in the London Gazette. There is no formal closure order to be obtained and no specific local consultation requirements to meet.
- 4.5. The site was assessed as nearly full when it was transferred. The Council have a schematic of where individual plots are, but it would be difficult, and potentially impossible, to identify many of the occupied plots (where memorials or markers are no longer clear) and those that are still vacant. The Council have a record of burials and plot numbers, but no record of what grants of burial have been sold in the past. Based on this, it is reasonable to conclude that it is not practicable to authorise any further sale of unused plots.
- 4.6. With local authority burial grounds there is an obligation to allow burials only to those who have purchased that right. No plots have been sold by the Council since 1974.
- 4.7. It may be that a closure decision was made before 1974, or by Rushcliffe Borough Council after this. As such a decision would not need to be registered, as it would be with closed churchyards, a formal decision is sought for the closure of the cemetery so it can be retained for future records. Any family coming forward with a valid grant of burial may need to be accommodated on contractual grounds, but this will be increasingly unlikely due to the passage of time.

5. Alternative options considered and reasons for rejection

The alternative is that the site is not formally closed. However, based on records the Borough Council holds, it is not possible to identify any vacant plots. Any family who has a valid grant of burial may be able to be accommodated, even with a closure in place. In addition, there is an active cemetery at the adjoining Vicarage Road.

6. Risks and Uncertainties

Local families come forward wishing to bury loved ones in the cemetery; however, to do this they will need a valid grant of burial and in which case this may be accommodated.

7. Implications

7.1. Financial Implications

The Borough Council is already responsible for the maintenance of Shaw Street Cemetery and a precept is charged to cover the costs of this. There are, therefore, no financial implications associated with the closure of the cemetery in this instance.

7.2. Legal Implications

Advice has been sought from the Ministry of Justice to ensure the correct process is followed for the closure of a local authority owned cemetery. The details of this are outlined in the report.

7.3. Equalities Implications

There are no equalities implications associated with this report.

7.4. Section 17 of the Crime and Disorder Act 1998 Implications

There are no crime and disorder implications associated with this report.

8. Link to Corporate Priorities

Quality of Life	There are no quality of life implications.
Efficient Services	The Council already maintains Shaw Street Cemetery and this report ensures that the correct process has been followed for the closure of the cemetery.
Sustainable Growth	There are no sustainable growth implications
The Environment	The Council maintain the Shaw Street Cemetery including a number of trees.

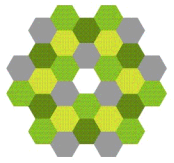
9. Recommendation

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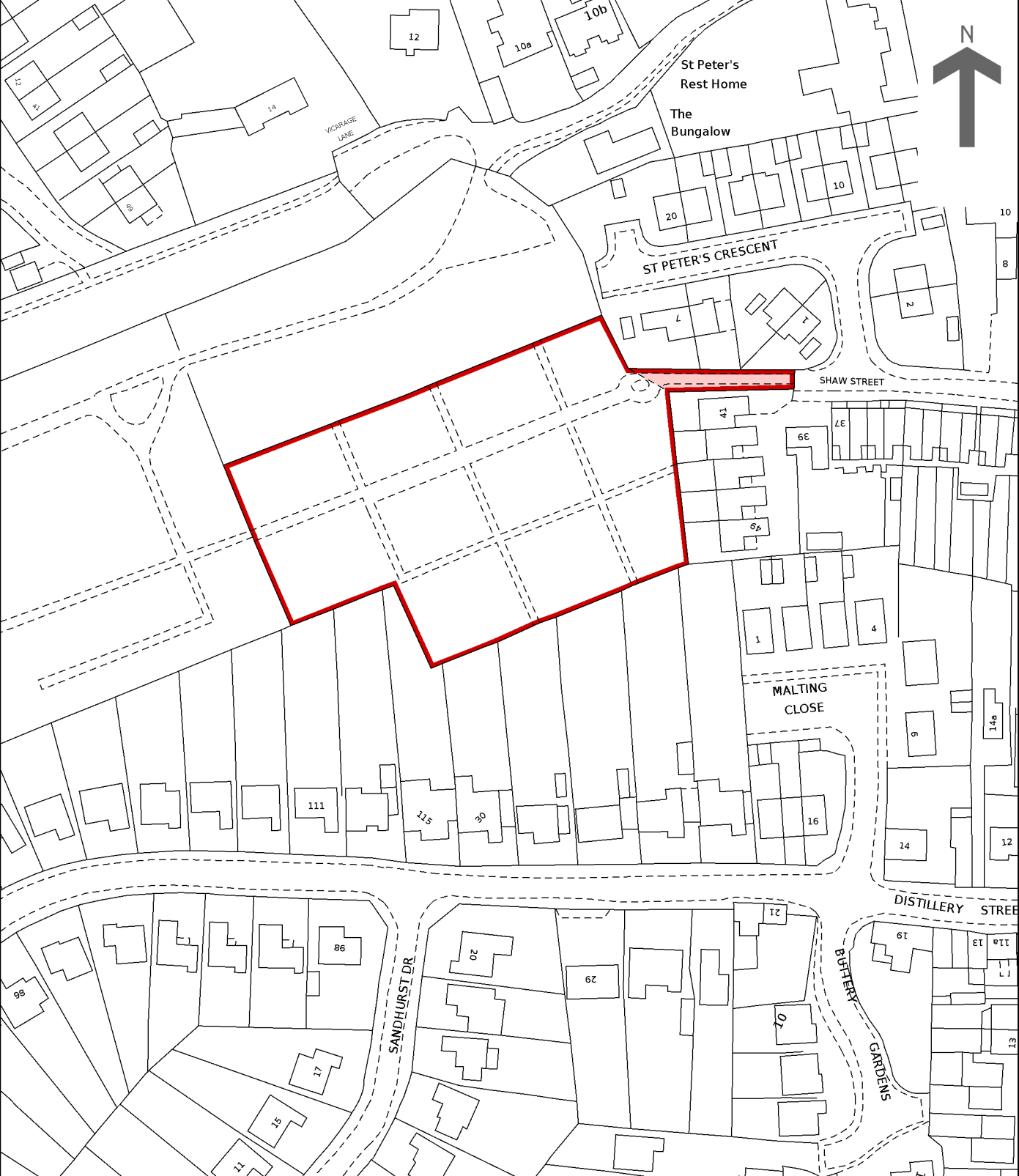
For more information contact:	Leanne Ashmore Director of Development and Economic Growth LAshmore@rushcliffe.gov.uk
Background papers available for Inspection:	
List of appendices:	Appendix A – land ownership map

HM Land Registry Current title plan

Title number **NT395957**
Ordnance Survey map reference **SK5732NW**
Scale **1:1250 enlarged from 1:2500**
Administrative area **Nottinghamshire :**
Rushcliffe



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This is a print of the view of the title plan obtained from HM Land Registry showing the state of the title plan on 27 April 2023 at 16:07:43. This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground.

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