



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

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- 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.

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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