

Ward: ALL

Portfolio: Planning & Development
Management

FROM: Cllr Garfield Kennedy
Portfolio Holder -
Planning & Development Management **Date: 16 November 2021**

SUBJECT: Policy DP7 SPD and Net Zero Carbon Toolkit

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	Seen by:	Name	Date
Report Sign off	Chief Executive/ Deputy Chief Executive(s)	Tracy Aarons	27/10/21
	Legal	Martin Evans	04/11/21
	Finance	Duncan Moss	29/10/21
	Group Manager	Julie Reader-Sullivan	28/10/21
	Portfolio Holder	Cllr Kennedy	02/11/21
	Ward Member(s)	N/A	
	Summary:	<p>This report introduces a draft Supplementary Planning Document (SPD) providing guidance on the interpretation of Local Plan Policy DP7; Design and Amenity of New development, incorporating guidance on energy efficiency, sustainable construction and renewable energy.</p> <p>It also recommends that the Council endorses the Net Zero Carbon Toolkit as technical guidance to help developers and homeowners move towards net zero carbon building. The guide includes sections covering new building and retrofitting existing buildings.</p>	
Recommendation:	<p>Scrutiny Board is asked to:</p> <ul style="list-style-type: none"> • Note the proposal to publish SPD providing guidance on the interpretation of policy DP7; Design and Amenity of New Development, incorporating guidance on energy efficiency, sustainable construction and on-site renewables. • Note the proposal to endorse the Net Zero Carbon Toolkit • Endorse the proposed next steps for consideration by Cabinet 		
Direct and/or indirect impact on service delivery to	<p>The SPD and Toolkit will aid the Planning Service in helping to deliver lower carbon growth. It will also assist in delivery of the Council's Carbon Management Plan.</p>		

our customers and communities:	
Contribution to Corporate Priorities:	The SPD and Toolkit will help the Council to deliver on its climate change commitments as set out in the Carbon Management Plan by providing guidance to help developers and householders lower carbon emissions from development.
Legal Implications:	<p>Once the SPD and Toolkit are formally adopted and endorsed, they will become material considerations to be taken into account in the planning balance when determining planning applications pursuant to the Council's legal duty under S38(6) Planning and Compulsory Purchase Act 2004.</p> <p>The DP7 SPD will be prepared in accordance with Regs 11-16 of the Town & County Planning (Local Planning)(England) Regulations 2012. This involves formal consultation and consideration of representations before adoption</p>
Financial Implications:	Costs could be incurred if a planning decision based on the SPD or toolkit were challenged at appeal or Judicial Review.
Climate Change Risks and Opportunities:	The SPD and Toolkit will encourage more energy efficient lower carbon building and building systems, both during construction and in use. Renewable energy, water efficiency and resource efficiency are encouraged. Suggestions are included to help reduce embodied energy. The toolkit aims to give guidance to inform and encourage those building new buildings and householders to design and build in a manner that reduces carbon emission. The impact on tackling climate change is positive
Impact on Service Plans:	The SPD and Toolkit will assist the delivery of the Carbon Management Plan.
Crime and Disorder Implications:	The SPD signposts sources of information and help in designing out crime and will assist in delivering Secure By Design.
Equalities Implications:	There are no equalities implications
Risk Assessment and Adverse Impact on Corporate Actions:	Formal SPD will add weight to consideration of design and amenity and measures to reduce carbon emissions in the planning decision process. The SPD may be subject to challenge both in preparation, at the public consultation stage, and in use, as part of the planning application decision process and at appeal.

	<p>The Toolkit will assist in delivering the Council's aim for the District of reaching carbon neutrality by 2030. However, the toolkit is not formal planning guidance or SPD. It will illustrate the actions needed to satisfy policy DP7 of the Local Plan and provide information to householders considering retrofit of buildings and is intended to provide information and encouragement.</p>
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INTRODUCTION

In February 2019, Mendip District Council declared a Climate and Ecological Emergency pledging to make best endeavours to enable the district to be carbon neutral by 2030. In August 2021 the Council adopted a Carbon Management Plan to guide it's path towards decarbonisation. The plan includes energy efficiency targets for domestic and non-domestic buildings, including energy efficiency, decarbonised heating systems and increased use of renewable energy.

This report introduces a draft Supplementary Planning Document providing guidance on the interpretation of Local Plan Policy DP7; Design and Amenity of New development, incorporating guidance on energy efficiency, sustainable construction and renewable energy.

The report also recommends that MDC endorse the Net Zero Carbon Toolkit as published by Forest of Dean, Cotswold and West Oxfordshire Councils to provide a practical and easy -to -navigate guide to building Net Zero housing. The Toolkit was prepared by the centre for Sustainable Energy and the three Councils have made it available to Councils across the UK, to guide their own journey towards Net Zero Carbon building.

The Toolkit includes sections covering new building and retrofitting carbon saving measures.

Government consulted in 2020 on a Future Homes Standard for Building Regulations and it is anticipated that significant improvements to Part L of the Building Regulations will be introduced from 2025. The equivalent of a 75% carbon reduction over existing Part L will be introduced and an interim 31% improvement is anticipated in late 2021/2022.

The SPD and Toolkit together provide practical guidance covering measures to improve the fabric, construction and design of buildings. The Toolkit illustrates measures covered both by Building Regulations and within the Planning system. It also represents an opportunity to promote sustainable construction methods to householders considering retrofitting.

The SPD will have the status of a formal supplementary planning document and will be a material consideration in decision making. The Toolkit will illustrate the measures likely to be needed in planning applications to satisfy the requirements of Policy DP7, as well as providing guidance and information to those considering retrofitting.

Sustainability Statements are required with Planning applications for residential applications for 10 or more dwellings, development sites of 1 hectare or more and development involving floor space of 1,000m² or more. The SPD and the Toolkit provide guidance for applicants preparing Sustainability Statements and these statements should show how the issues identified have been addressed.

DP7 SUPPLEMENTARY PLANNING DOCUMENT

The SPD provides guidance on the interpretation of Local Plan Policy DP7. Planning procedures indicate that the document should be subject to at least 4-6 weeks public consultation and formal adoption by Cabinet. Once adopted the document will be a material consideration in the planning decision process and have weight at appeal.

Policy DP7 addresses the design and amenity of new developments, and aims to support high quality design which results in useable, durable, adaptable, sustainable and attractive places. It acknowledges the role of good design in making places that are attractive to visitors and residents and sustainable in the way they use resources.

The SPD includes guidance on energy efficiency, use of sustainable construction techniques and on-site renewable energy.

Draft SPD is attached as Annex 1.

NET ZERO CARBON TOOLKIT

The Toolkit provides technical guidance and covers the core principles of net zero carbon building, including energy efficiency, low carbon heating, renewable energy and embodied carbon.

It is divided into 2 sections looking at new building and retrofit. Advice on new building includes;

- Orientation and windows
- Construction methods and quality
- Airtightness
- Ventilation and overheating
- Low carbon technology including heat pumps, hot water systems, water efficiency, solar PV and smart controls
- Embodied carbon in building materials

Advice on retrofit includes;

- Low carbon heat
- Replacement windows
- Insulating walls, floors and roofs
- Thermal bridging
- Airtightness and ventilation
- Hot water systems
- Solar PV
- Smart controls
- Embodied carbon

The Toolkit also includes some practical guidance on selecting building products including windows, doors, insulation, ventilation units, waste heat recovery units, heat pumps, solar PV units and domestic appliances. It finishes with some pointers on standards, such as Passivhaus and a checklist for design and construction.

The Toolkit should be read alongside the SPD and provides additional information and illustration of the requirements of policy DP7, as well as information of householders and building owners who may be considering retrofitting.

Mendip Net Zero Carbon Toolkit is attached as Annex 2.

NEXT STEPS

Following Scrutiny Board's consideration of this report, and subject to Cabinet approval, the proposed next steps are as follows:

- Publish SPD for at least 4 weeks public consultation (Jan/Feb 2022)
- Endorse the Net Zero Carbon Toolkit to provide technical guidance to prospective developers and illustrate measures required to satisfy policy DP7 of the Local plan
- Promote the Toolkit for householders and developers considering retrofit of buildings
- Amend the Local Validation List guidance on sustainability statements to reference the Net Zero Carbon Toolkit

RECOMMENDATION

Scrutiny Board is asked to:

- Note the proposal to publish SPD providing guidance on the interpretation of policy DP7; Design and Amenity of New Development, incorporating guidance on energy efficiency, sustainable construction and on-site renewables.
- Note the proposal to endorse the Net Zero Carbon Toolkit
- Endorse the proposed next steps for consideration by Cabinet

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Annex 1; Draft SPD "Design and Amenity of New development"
Annex 2; Mendip Net Zero Carbon Toolkit