

WYRE FOREST DISTRICT COUNCIL**CABINET MEETING**
22ND FEBRUARY 2007**Department of Communities and Local Government Consultation Documents**
on Climate Change

OPEN	
COMMUNITY STRATEGY THEME	A Better Environment
CORPORATE PLAN THEME:	Managing the Local Environment
KEY PRIORITY:	Sustainable Environment
CABINET MEMBER:	Councillor Mrs A T Hingley
RESPONSIBLE OFFICER:	Head of Planning, Health and Environment
CONTACT OFFICER:	Lynnette Jones, Senior Health and Sustainability Officer
APPENDICES	Appendix 1 – Building a Greener Future Appendix 2 – Planning and Climate Change Appendix 3 – Water Efficiency in New Buildings

1. PURPOSE OF REPORT

- 1.1 To inform Members on the content of the following documents, all published by the Department for Communities and Local Government in December 2006:
- Code for Sustainable Homes – A Step Change in Sustainable Home Building Practice.
 - Building A Greener Future: Towards Zero Carbon Development.
 - Planning Policy Statement: Planning and Climate Change – Supplement to Planning Policy Statement 1.
 - Water Efficiency in New Buildings – A Consultation Document.
- 1.2 To agree a Wyre Forest District Council response to the Department for Communities and Local Government consultation documents.

2. RECOMMENDATION**The Cabinet is asked to DECIDE that:**

- 2.1 **The attached consultation responses are submitted to the Department of Communities and Local Government as the Wyre Forest District Council reply by the deadlines of 8th/9th March 2007.**

3. BACKGROUND

- 3.1 The cause and effects of Climate Change are increasingly high profile issues. In response to this increasing focus on Climate Change, the Government released a set of consultation documents (listed above) in December 2006.
- 3.2 At a joint meeting of the Prosperity Policy Panel and Service Policy Panel on 12 February the documents were considered.

4. KEY ISSUES

- 4.1 Although the Code for Sustainable Homes is voluntary from April 2007, if the proposals in “Building a Greener Future: Towards Zero Carbon Development” are adopted, all new housing in the District would have to conform to new mandatory lower carbon standards from April 2008. This would be achieved through step changes in the Building Regulations, with all new homes being zero carbon by 2016.
- 4.2 The adoption of the document would result in the District having to have regard to the principles set out for allocating sites for development. This may have implications for allocating sites in villages which are often only accessible by car.
- 4.3 The changes to energy supply would possibly have the biggest impact on the District. Firstly, the District would have to assess its capacity to accommodate renewable and low-carbon energy technologies.
- 4.4 Secondly, the District does not currently have a policy to require a proportion of energy in new development to be generated on-site and renewably and/or from a decentralised, renewable or low-carbon energy supply on-site energy generation in large developments, however, should the Planning Policy Statement be adopted the District would have to develop such a policy. In the interim period a figure of 10% would apply.
- 4.5 There may also be implications for continuation of existing Local Plan policies that seek to safeguard the landscape and townscape character of the District.
- 4.6 The adoption of new Building Regulations to regulate water efficiency in new buildings would have implications for new housing in the District.

5. FINANCIAL IMPLICATIONS

- 5.1 There are no financial implications to the Council at this consultation stage.

6. LEGAL AND POLICY IMPLICATIONS

- 6.1 There are no legal and policy implications to the Council at this consultation stage.

7. RISK MANAGEMENT

7.1 Not applicable to the consultation documents.

8. CONCLUSION

8.1 Climate Change is moving quickly up the Government agenda, and there is an increasing expectation that Local Government will lead on action to reduce carbon emissions and adapt to inevitable Climate Change.

9. CONSULTEES

9.1 Head of Planning Health and Environment

9.2 Forward Planning Manager

9.3 Building Control Manager

9.4 Housing Services Manager

10. BACKGROUND PAPERS

10.1 Code for Sustainable Homes – A Step Change in Sustainable Home Building Practice.

http://www.planningportal.gov.uk/uploads/code_for_sust_homes.pdf

10.2 Building A Greener Future: Towards Zero Carbon Development.

http://www.communities.gov.uk/pub/173/BuildingaGreenerFutureTowardsZeroCarbonDevelopment_id1505173.pdf

10.3 Planning Policy Statement: Planning and Climate Change – Supplement to Planning Policy Statement 1.

http://www.communities.gov.uk/pub/142/ConsultationPlanningPolicyStatementPlanningandClimateChangeSupplementtoPlanning1_id1505142.pdf

10.4 Water Efficiency in New Buildings – A Consultation Document.

http://www.communities.gov.uk/pub/176/WaterEfficiencyinNewBuildingsPart1of2_id1505176.pdf

2nd February 2007

Building a Greener Future – Towards Zero Carbon Development

Question 1: *Are we right about the need for new housing to lead the way in delivering low-carbon and zero-carbon housing, and is it achievable in the timescale we have set out?*

It is important to focus on new housing in delivering low and zero carbon development; however, the need to move away from a dependence on fossil fuels in the existing housing stock should not be neglected. This is for two reasons; firstly, security of energy supply is becoming an issue, but secondly and more importantly if the UK is to drastically cut its carbon emissions, if one third of 2050's total housing stock is built between now and then, that results in two-thirds of 2050s housing stock will be today's existing stock.

The timescale proposes a 25% improvement in carbon performance before 2010; this is followed by a 44% improvement by 2013 and a move to zero carbon development by 2016. Although technologies are forecast to improve and become cheaper as more are installed, it is still a very short time-scale to achieve a zero-carbon rating in all new residential development. In response to the Barker Review, the Government set a target in 2005 to build 200,000 new homes a year by 2016. It is important that these figures do not jeopardise the move to zero carbon homes as it is questionable whether the skills and technology is available to build zero-carbon homes at this rate.

As well as taking steps to change the ways in which energy is produced, it is also essential to reduce amount of energy which people consume, therefore, the importance of energy efficiency and behavioural change should not be underestimated. Reducing the amount of energy required will make achieving zero carbon housing more easily achievable.

Question 2: *Have we got the assessment of costs and benefits right?*

The Costs and Benefits section focuses on the financial costs and benefits of all new homes becoming zero-carbon by 2016. More attention should be paid to the environmental benefits of achieving the target as they are more substantial than the financial ones.

Although the consultation document sets out quite specific cost estimates for achieving a 25% improvement by 2010, there appears to be less certainty on the costs involved in achieving zero-carbon development.

Another concern is that it is the poor who are likely to suffer most and first from climate change and if low-carbon homes are more expensive to purchase, it may price lower income households out of such markets, leaving them in older, less fuel-efficient housing stock with higher fuel bills and less certainty over supply.

Question 3: *Have we got the balance right between the contribution of the planning system and that of building regulations? Are there any other policy instruments we should consider? Are there ways in which we can design our policy instruments to achieve the same goals more cost effectively?*

The planning system has an important role to play both in terms of policy and development control and can deliver a growth in renewable energy through Merton rule style planning polices. However, Building Regulations changes are necessary to achieve a national approach and to reach the targets set out. Financial incentives should also be considered to encourage developers and individuals to adopt greener standards.

Question 4: *Are there significant solutions to climate change that our policy framework does not encourage and are there things we should be doing to address this?*

It is necessary to address the energy efficiency of new buildings in general, as well as new housing. It is also necessary to address the energy consumption levels. Reducing overall energy consumption will make it easier to gain a higher proportion of energy requirements from renewable sources.

Question 5: *Are we right in our assessment of what we should seek to achieve through the planning system and through building regulations? Are there other policy instruments we need to consider?*

The objectives set out in paragraph 2.12 can be achieved through the planning system. However, financial incentives should also be considered.

Question 6: *Are there any areas on duplicative – or even conflicting – regulation in the framework that we have described? Do these threaten to get in the way of meeting the goals that we have set?*

Achieving zero-carbon residential development by 2016 could conflict with the government target to provide 200,000 new homes a year by 2016 as it is not clear whether or not the skills and technology will be available in sufficient quantities to build 200,000 new zero-carbon homes a year by 2016. Zero-carbon development could conflict with the brownfield land recycling target as developers may try to offset the cost of providing zero-carbon homes by developing greenfield sites instead.

Question 7: *Do you agree that all new homes should receive a rating against the standards set out in the Code for Sustainable Homes should be mandatory from April 2008?*

Yes. It is essential in order to meet the targets set out. The voluntary assessment stage and the exemption of stamp duty on zero-carbon homes in 2007 may encourage some developers to aim for higher environmental standards.

Question 8: *Do you believe that our timetable for delivering zero carbon development through more stringent Building Regulations is sensible and achievable, too stringent, or not stringent enough?*

It is necessary to achieve zero carbon housing in order to combat climate change, and action needs to be taken immediately to address this. However, the timescale set out in the consultation is very short when taking into consideration the scale of the changes that will be necessary to achieve zero-carbon housing. Also, Local Planning Authorities are starting from different points, some have put climate change high on the agenda and already expect higher standards of energy efficiency and on-site generation of renewable energy, whereas other authorities have no experience in this field. As a result, some authorities will be able to achieve zero carbon housing developments before others.

The other issue which could stand in the way of achieving zero carbon development is the government target to build 200,000 a year by 2016, as it is not clear whether the technology and skills are available to build zero-carbon homes at that rate.

Question 9: *Do you think our assessment of the costs of achieving these targets is realistic? Can you offer additional supporting evidence on costs?*

No comments

Question 10: *We believe that a zero-carbon target is the most robust framework for reducing the carbon footprint of new development. Do you agree that our definition of zero-carbon in paragraph 2.33 is the right approach? Where there are circumstances in which the additionally of offsetting measures outside the development can be demonstrated and are more cost-effective (e.g., on small infill developments), is there a case for carbon neutrality (i.e. taking account of offsetting measures)?*

Yes, the definition of zero-carbon set out in paragraph 2.33 is the right approach. Allowing developers to off-set carbon emissions outside the development could set a precedent for smaller developments to avoid meeting the standard unless strict guidelines were issued on the circumstances in which carbon could be offset outside of the development.

Question 11: *Does the framework that we describe give adequate room to authorities and developers to make best use of the opportunities available at different spatial levels, for example district heating and district cooling?*

No comments

Question 12: *Do you agree that, for the reasons set out, there should be a national strategy for regulating the emissions from buildings supported by local promotion of renewable and low carbon energy supply?*

Yes, a national strategy is necessary in order to ensure that emissions are reduced as much as possible nationally and that developers have a national standard.

Question 13: *Are we right to assume that our twin goals – of delivering the new homes that are needed and reducing emissions from housing stock – will be achieved more efficiently by relying on national standards (i.e. Building Regulations and the Code) than through encouraging earlier action by individual local authorities?*

Earlier action by individual local authorities can provide valuable case study examples for other authorities to learn from. This should be recognized and should not be discouraged. However, in order to reach the twin goals set out, a national standard is necessary.

Planning and Climate Change – Annex to PPS1

Question 1: *There is an urgent need for action on climate change and we consider that, used positively, spatial planning has a pivotal and significant role in addressing this challenge. We will provide practice guidance to help implement the planning policy for climate change set out in this PPS. Read together, as part of the wider package of action being taken forward by the Department in 'Building a Greener Future' to help deliver the Government's ambition of achieving zero-carbon development, will the new policy and proposed practice guidance secure planning strategies that deliver reductions in emissions and shape sustainable communities that are resilient to the climate change now accepted as inevitable?*

The new policy documents have the potential to deliver a reduction in emissions and shape sustainable communities that are resilient to climate change. However, this is part of a wider challenge and a change in people's attitudes and behaviour is also needed in order to achieve sustainable communities.

Question 2: *The PPS sets out Planning Objectives and Decision-making principles for the preparation and delivery of spatial strategies by regional planning bodies and all planning authorities. Do you agree with these?*

The planning objectives should include an objective to address the need to move existing building stock away from a dependence on non-renewable energy sources as planning can constrain this process. The Key Decision-making Principles should expand on, and/or include examples of what appropriate indicators for AMRs could be.

Question 3: *It is proposed that climate considerations should be a key and integrating theme of the regional spatial strategy (RSS) and be addressed in conjunction with the economic, social and environmental concerns that together inform the overall spatial strategy and its components. Do you agree?*

Climate change should form an integral part of the environmental, social and economic concerns that inform the RSS and not be presented as a separate issue as this detracts from the importance of integrating climate change.

Question 4a: *The PPS expects regional planning bodies to consider the likely performance of the RSS on mitigating climate change. In doing so, the PPS makes clear that this should be a key part of the sustainability appraisal, which should be used to identify and evaluate possible tensions and inconsistencies between current, or likely future, baseline conditions and securing RSS in line with the Key Planning Objectives in the PPS. Do you agree with this approach?*

It is important to consider the impact that the RSS will have on climate change and this should be done through the sustainability appraisal process. To achieve this, it is important that the Key Planning Objectives set out in the PPS are reflected in the RSS SA objectives.

Question 4b: *The PPS encourages RPBs, as part of their approach to managing performance on carbon emissions, to produce trajectories, to be set out in RSS, for the expected carbon performance of new residential and commercial development. Do you agree with this suggested approach?*

The use of carbon trajectories raises questions. It is very difficult to estimate carbon emission rates and transport requirements over time as the attitudes and behaviour of the people occupying the development are a significant factor in this. The level of data available might make such trajectories inaccurate. The usefulness of such trajectories is also questionable as the document does not set out how they would be used, but does establish that they could not be used in determining individual planning applications.

Question 5: *We propose an approach to the identification and allocation of sites and areas for development in which priority should be given to those likely to perform well against the criteria set out in paragraph 19, and that those that perform badly should not normally be considered for allocation for new development. Do you agree with the suggested approach?*

The suggested approach sets out some important considerations regarding planning for climate change. It is important that the sites which meet these criteria are allocated for development first. However, some authorities will have a greater availability of such sites than others resulting in some authorities having to allocate sites for development that do not meet all of the criteria set out in paragraph 19. Secondly, some rural areas may not meet all of the criteria set out in paragraph 19, however, there may be a demand for affordable housing in that area, which is required in order to prevent the less affluent moving away from the area. This leads to conflict between the different aspects of sustainability. The transport aspect of sustainability needs to be addressed through transport policy, for example, where an established village requires affordable housing development to retain a mixed and balanced community in line with sustainability considerations, this should not be denied because the settlement is car dependent.

Question 6: *The PPS expects local planning authorities to assess their area's potential for accommodating renewable and low-carbon technologies, including for micro-renewables to be secured in new residential, commercial or industrial development.*

Although the Regional Energy Strategy makes assumptions regarding the capacity for renewable energy in the different parts of the region it is unclear how local planning authorities would assess their own capacity. Is this something that would have to be done through the SA process, or as a separate document forming part of the evidence base? A considered assessment should inform the evidence base when scoping for DPDs? Many Local Authorities are already well into the production of DPDs. This will require specialised knowledge and will therefore probably necessitate appointing consultants.

Question 6a:*Do you agree that local planning authorities should consider allocating sites for supplying renewable and/or low-carbon energy and supporting infrastructure, taking care to avoid stifling innovation?*

Local planning authorities should be allowed to allocate sites for supplying renewable and/or low carbon energy and supporting infrastructure where the characteristics of a site makes it particularly suitable for such a use, this would safeguard the site from other uses. However, local planning authorities should not have to make such allocations where they do not feel that is appropriate in their locality.

Question 6b:*Do you agree that local planning authorities should ensure that a significant proportion of the energy supply of substantial new development is gained on-site and renewably and/or from a decentralised, renewable or low-carbon, energy supply?*

Yes, local planning authorities should ensure that a significant proportion of the energy supply of new development is gained onsite and renewably and/or from a decentralised, renewable or low-carbon, energy supply. However, it should be up to each local planning authority to set a figure which they feel is appropriate for their area. Authorities should support local builders to keep up with the changes in building regulations

Question 6c:*Do you agree with the approach for setting out, in a development plan document, a significant proportion of the energy supply of substantial new development to be gained on site and renewably and/or from a decentralised, renewable or low-carbon, energy supply?*

Yes, it is particularly important to have regard to the economics of development when setting out policies for the amount of energy which should be gained on-site and renewably and/or from a decentralised, renewable or low-carbon, energy supply and special consideration should be given to sites which are particularly expensive to develop, in this situation, the opportunity to develop difficult sites should not be lost because it becomes economically infeasible after the costs of providing renewable or low carbon energy are factored in. The figure should be treated as a flexible approach as it may not always be achievable, e.g., in conservation areas or on heavily contaminated sites, it might be difficult to achieve. On the other hand, some developments may be able to exceed the figure.

Question 6d:*Do you agree that in the interim period before “a significant proportion” is tested and defined through the preparation adoption of a development plan document a standard of 10% should be applied?*

Agree with 10% as an interim figure, however, there should be no obligation on local planning authorities to adopt a greater percentage when setting out in DPDs the amount of energy they expect new developments to provide on-site and renewably and/or from a decentralised, renewable or low-carbon, energy supply.

Question 7: *The PPS forms part of a wider package of action being taken forward by the Department to help deliver the Government's ambition of achieving zero-carbon development. This includes the Code for Sustainable Homes and a consultation document, Building a Greener Future, which sets out how planning, Building Regulations and the Code for Sustainable Homes can drive change, innovations and deliver improvements to the environment.*

Question 7a: *Do you agree that, for the reasons set out in 'Building a Greener Future' there should be a national strategy for regulating the emissions from buildings supported by local promotion of renewable and low-carbon energy supply?*

Yes, a national strategy is necessary in order to ensure that emissions are reduced as much as possible nationally and that developers have a national standard. It sets out clear guidance as a starting point for local authorities. A national standard is easier to achieve through building regulations than planning policy.

Question 7b: *Does the Framework that we describe give adequate room for authorities and developers to make the best use of the opportunities available at different spatial levels, for example district heating and cooling?*

No Comments

Question 8: *Paragraph 35 of the PPS expects planning authorities to consider the environmental performance of proposed development, taking particular account of the climate the development is likely to experience over its expected lifetime. Do you agree with this approach?*

Yes, it is important to consider the likely change in climate that a development will experience over its expected lifetime and to ensure that the site is not likely to become unsuitable for the development. However, although good data is now available, it is not possible to know exactly how a site will be affected by climate change and to what degree over the expected lifetime of a development, therefore, it is also important to ensure that developments are adaptable to take account of unexpected climate change impacts. The SA baseline could be used to inform of expected changes of climate in the future.

Question 9: *We consider effective monitoring and review essential in securing responsive action to tackle climate change. Do you agree that expected annual monitoring should include outcome performance against the carbon performance trajectories or other yardsticks for identifying trends in performance, and renewables targets set in the RSS?*

Monitoring and review are essential in order to ensure that any targets set out are being met. However, carbon trajectories are affected by the attitudes and behaviour of people occupying developments, therefore, making it difficult to use this as a target. Monitoring indicators should be set to establish whether or not targets set in the RSS and LDF are being met. Increased monitoring activity will have resource implications.

Question 10: *Do you consider the proposed scope of the practice guide (at Part 3) covers all the topics it needs to? If not, what is missing? Does the proposed scope of the practice guide include topics which don't need to be covered? If so, which, and why?*

The scope covers a wide range of issues which are relevant to the implementation of 'Planning and Climate Change'.

Question 11: *The Partial RIA (as Part 4) sets out the likely benefits and costs of the PPS, assessing two options, (i) the "do nothing" option and (ii) implementation of the PPS. Are these options viable? Would you add to/change the disadvantages/advantages of each? Are there any other options that should be considered?*

The benefits section (paragraph 60) could consider opportunities for farms to diversify into the renewable energy market including the growth of bio-fuel crops. Farm diversification is supported through PPS7 and provides an opportunity to diversify the economic base of rural areas. This may be particularly relevant to the Wyre Forest District due to its rural nature. However, it is important to consider the land requirements of biomass production and the implications that this has for the local production of food.

Question 12: *The partial RIA sets out potential impacts by stakeholder. Would you add to/change the impacts for each group? Are any stakeholders missing from the list?*

No comments

Question 13: *The partial RIA sets out the likely benefits and costs of the PPS. Do you agree with the assumptions made? If not, it would be helpful if you could set out why not and provide any quantifiable evidence available to you on benefits and costs.*

No comments

Other Comments:

Paragraph 22 states that planning authorities should "avoid policies that set stringent requirements for minimising impact on landscape and townscape if these effectively preclude the supply of certain types of renewable energy". This policy would make it difficult to prevent proposals for wind energy, for example, in areas that have a high landscape value but do not have a nationally recognised designation.

Water Efficiency in New Buildings

New Homes

Question 1 – What is your view of the whole building performance standard approach for water efficiency? Can it be made to work?

Option A offers house builders maximum flexibility, for example by specifying an ultra low flush toilet to compensate for a higher water using shower. Designers of luxury homes wishing to install high water use fittings such as hot tubs, could offset with water saving technology such as rain water harvesting. Yes, it can be made to work.

Option B would set each group of water fittings e.g. taps, toilets and showers, a maximum water use limit or flow rate. This option limits flexibility and does not really deal with luxury items such as spa baths and hot tubs.

Builders and Designers are more likely to accept option A.

Question 2 – If this was the approach chosen, which of the four target levels should be used (in the range 120 to 135 per head per day)?

Research quoted in the consultation document suggests new homes being built now are already achieving between 130 and 135 litres per head per day. To make these new Building Regulations raise the bar above standards already being achieved it would be sensible to set the new minimum at 120 litres per head per day.

Question 3 – Are there any constraints on using the existing system of building control to ensure compliance?

No, it is reasonable to extend the existing powers aided by a Government model on types of water fittings, to assist in determining compliance.

Question 4 – Should we regulate separately for very high water use items? If so, how?

No need if Option A is adopted. Difficult to see how very high water use items such as spa baths and hot tubs could be effectively regulated as stand alone items.

Question 5 – Which of the regulatory option (A or B) will give house builders most flexibility and be most cost effective and practical?

Option A.

Question 6 – Which option (A or B) would provide the best incentives for driving innovation in the marketplace?

Option A, many low water use devices are already available in the marketplace.

Question 7 – Will the market be able to supply compliant fittings in sufficient quantities within the timescales proposed i.e. from 2008 onwards?

No comment

Water Use in the Workplace

Question 8 – Which is the preferred benchmark of options 1-4 set out on page 25?

4 – the BREEAM Offices Standard appears to be the most flexible existing standard.

Question 9 – If none of these, what alternative would you like to see?

No comment

Domestic Uses of Non-Household Buildings

Question 10 – Should we have separate standards for residential institutions e.g. hospitals?

Yes

Question 11 – Are there any other factors we should take into account?

No