Briefing Note **Climate Change and Planning**

Introduction

Climate change is one of the biggest challenges facing our society. The UN Paris Agreement, adopted in 2015, sets out to limit warming to less than 2 degrees temperature increase above pre-industrial levels. But, the latest science warns that we should be aiming to keep warming below 1.5 degrees if we are to avoid the worst climate impacts.

Climate Change and Planning

Planning has a crucial role to play in helping to address the implications of climate change. The Royal Town Planning Institute (RTPI) website and more specifically in the publications

- Rising to the Climate Change Crisis (2018)
- Strategic Planning for Climate Resilience (November 2020)
- Place Based Approaches to Climate Change (March 2021)
- The Climate Crisis: A Guide for Local Authorities on Planning for Climate Change (October 2021)

The Planning and Compulsory Purchase Act 2004 sets out the structure of the local planning framework for England, including the duty on plan-making to mitigate and adapt to climate change.

> *"local planning authorities to include in their Local Plans "policies designed to secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change"* [Section 19 (1A)]

The National Planning Policy Framework (NPPF) sets out the key national planning priorities for England and is a material consideration in plan-making and development management decisions. Introduced on 27 March 2012, and last revised on 20 July 2021. Paragraph 11 of the NPPF underlines that tackling climate change is central to the economic, social and environmental dimensions of sustainable development.

Paragraph 153 and accompanying footnote 53, expects local planning authorities to adopt proactive strategies to mitigate and adapt to climate change, in line with the Climate Change Act 2008 and Section 19 of the Planning and Compulsory Purchase Act 2004.

The NPPF is accompanied by online Planning Practice Guidance. The sections that are particularly relevant to planning for climate change are:

- Climate change
- Flood risk and coastal change
- Renewable and low-carbon energy

The Development Plan

In England, the planning system is plan-led.

The Development Plan is a set of statutory[1] documents used to guide the nature and location of development within a particular area. The policies in these documents ensure that the decisions taken by planning officers when determining applications for planning permission are rational and consistent.

[1] Statutory in this context refers to written law introduced by the national government.

Briefing Note **Climate Change and Planning**

The Development Plan for Pendle currently includes the following documents:

- Pendle Local Plan (2006 and 2015)
- Bradley Area Action Plan (2011)
- Joint Lancashire Minerals and Waste Local Plan (2009 and 2013)
- Neighbourhood Plans – in areas where these are being prepared (see below)

The Pendle Local Plan

The Government requires Pendle Council, as the local planning authority, to prepare a Local Plan to guide development in the borough.

The Pendle Local Plan provides a positive response to the needs of our community, by addressing the spatial and land use implications of economic, social and environmental change. It establishes the strategic priorities for housing and commercial development; utilities and transport infrastructure; and affords protection to the local environment. In short the Local Plan offers clear guidance on what types of development will, or will not, be permitted and where it should take place.

A new Local Plan is currently in preparation and should be adopted in 2024. It will:

- Establish a vision for the future of Pendle
- Set out strategic planning policies to guide growth and development in Pendle up to 2040
- Establish the amount of development required to meet our future needs
- Designate boundaries that identify those areas where new development will be encouraged, resisted or required to meet higher standards of design
- Allocate sites for a wide range of end-uses (e.g. housing, employment, retail etc.) and where necessary, any specific infrastructure requirements (e.g. new roads, schools etc.)

Previous iterations of the Local Plan have **not** identified potential areas of search for commercial wind farms or allocated commercial-scale sites for other forms of low carbon energy production.

When adopted the new Pendle Local Plan Fourth Edition will supersede saved policies from the Replacement Pendle Local Plan (2006), the Bradley Area Action Plan (2011) and the Pendle Core Strategy (2015).

Action on climate change is embedded and integrated into the plan-making process.

- Sustainability appraisal (SA) addresses the EU requirement for Strategic Environmental Assessment (SEA) by considering the individual and cumulative impacts of policies and site allocations set out in the Local Plan.
- The site assessment process includes criteria which consider the potential of a site to support the move to a low-carbon future and its potential to adapt to, or mitigate, the impacts of climate change. Where sites perform poorly against these criteria alternative sites are considered for allocation in the Local Plan.

To help to improve our long-term resilience to the effects of climate change, individual policies and site allocations address its implications through a combination of prevention, mitigation and adaptation. The policies providing a response to the climate emergency are highlighted in the table below.

Objective	Response	Policies
Promote energy efficiency	Promote sustainability in building design and construction.	**SP06**, DM01, DM16
	Increase the energy efficiency of new buildings (including extensions).	**SP06**, DM01, DM16, DM21, DM42
	Make new buildings resilient to climate change.	**DM01**, DM02, DM21
Reduce carbon emissions	Support the use of low carbon technologies and reduce the use of fossil fuels.	SP06, **DM03**, DM21
	Promote the use of sustainable modes of travel and secure improvements to walking, cycling and public transport networks.	SP11, DM23, **DM32**, DM35, DM40
	Provide charging points for electric vehicles in new homes, public and communal car parks.	DM01, DM13, **DM37**
	Direct growth to the most sustainable locations (i.e. reducing the need to travel, particularly by private car).	**SP02**, **SP03**, SP04, SP10, SP11, DM13, DM32, DM41, DM42, DM43, DM44, AL02
	Reduce levels of operational carbon by encouraging new developments to meet recognised building standards (e.g. BREEAM), which positively address climate change, subject to viability considerations.	SP06, SP10, DM01, DM16
	Reduce levels of embodied carbon by encouraging the re-purposing of existing buildings.	**SP06**, DM25, DM26, DM35, DM40, DM42, DM46
	Introduce measures to support urban cooling such as the appropriate orientation of new buildings, planting of street trees, installation of green roofs etc.	DM01, **DM07**
Reduce flood risk	Direct development to locations with the lowest risk of fluvial and surface water flooding.	SP07, **DM02**, DM21, DM29, DM36
	Promote the use of sustainable drainage systems (SuDS) to help reduce surface water runoff.	**SP07**, **DM02**, DM07, DM37, AL01, AL02
	Promote the retention of permeable surfaces.	**DM02,** DM21, DM37
Protect and enhance our green infrastructure and the natural environment	Protect existing green infrastructure.	SP10, SP12, DM01, DM03, DM05, **DM06**, DM07, DM08, DM12, DM19, DM21, DM31, DM37
	Require the provision of open space in new developments, particularly where this contributes to the resilience of ecological networks.	SP12, DM01, **DM05**, DM06, **DM16**
	Register Council owned land as Biodiversity Offsetting Receptor Sites.	**DM04**

Policies =in bold are the principal policies addressing this objective.

Briefing Note **Climate Change and Planning**

An extensive evidence base underpins the Local Plan. Those documents addressing climate change, which have been prepared or commissioned by Pendle Council and its partners include:

- South Pennines Renewable and Low Carbon Energy Study (Maslen Environmental, 2012)
- Part 1 Strategic Flood Risk Assessment (JBA Consulting, 2021)
- Part 2 Strategic Flood Risk Assessment (JBA Consulting, tbc)

Supplementary Planning Documents

Pendle Council has prepared four Supplementary Planning Documents (SPDs). They provide additional information and guidance on particular themes or site-specific issues, to help with the interpretation and implementation of policy requirements set out in the Local Plan.

SPDs cannot be used to allocate land or introduce new planning policy, but the information they contain may be an important consideration in the determination of an application for planning permission.

Neighbourhood Plans

The Localism Act 2011 introduced new rights and powers allowing communities to help shape future development in their areas by preparing a Neighbourhood Plan. The legislation requires Neighbourhood Plans to:

- have regard to national planning policy;
- be in general conformity with strategic policies in the Local Plan; and
- be compatible with EU obligations and human rights requirements.

Pendle Council has no control over the content of a neighbourhood plan, other than to check the lawfulness of what is included.

Few Neighbourhood Plans include detailed policies on climate change, relying instead on policies in the Pendle Local Plan. Nationally there is evidence that those that have tried to introduce such policies have encountered difficulties in navigating the viability test set out in the NPPF.

In Pendle, four neighbourhood plans are in various stages of preparation. To date the Trawden Forest Neighbourhood Plan (February 2019), the Barrowford Neighbourhood Plan (December 2019) and the Kelbrook & Sough Neighbourhood Plan (December 2022) have been 'made' (adopted). The Colne Neighbourhood Plan goes to public referendum on 20 July 2023. None of these plans make specific provisions in relation to climate change.

Building Control

Building regulations are minimum standards for design, construction and alterations to virtually every type of building. The regulations are developed by the UK government and approved by Parliament.

The Building Regulations 2010 cover the construction and extension of buildings and these regulations are supported by Approved Documents. Approved Documents set out detailed practical guidance on compliance with the regulations.

Part O of the Building Regulations, which addresses overheating in new residential buildings came into effect in June 2022.

Briefing Note **Climate Change and Planning**

With builders able to appoint their own building inspectors, Dame Judith Hackitt DBE FREng, in her independent review of the Grenfell disaster, highlighted concerns that the current system could be seen as incentivising the overlooking of issues that are not directly concerned with the preservation of human life, including those designed to address climate change.

Examples of responses to the declaration of a Climate Emergency in Pendle

- Pendle Council's Planning Department maintains a webpage promoting the uptake of renewable and low carbon energy the borough. This includes the nine factsheets prepared by CLASP and supports the policy objectives set out in Policy DM03 of the draft Pendle Local Plan.

  https://www.pendle.gov.uk/info/20070/planning_applications/84/making_a_planning_application/13

- Several new housing schemes have incorporated Sustainable Drainage Systems (SuDS) into their schemes, including Deerwood Park, Knotts Lane, Colne (Persimmon Homes); Spring Meadows, Red Lane Colne (Beck Homes) and Boulsworth View, Windermere Avenue, Colne (McDermott Homes).

- Pendle Council, Pendle Leisure Trust and Together Housing have all installed solar voltaic panels on the roofs of suitable buildings in the borough. Given recent advances a further review of the potential to exploit renewable technologies on publicly owned buildings in Pendle is in progress.

- Pendle Community High School received funding from the Building Schools for the Future programme to become one of the most environmentally friendly school in the country, with combined heat and power and other renewable technologies providing heat.

  https://www.lancashiretelegraph.co.uk/news/1833101.super-school-building-sights/

- Several Victorian terraces in Whitefield, Nelson were transformed into modern homes featuring technologies such as microCHP boiler systems which are expected to save on energy bills. The scheme has managed to balance heritage conservation with energy efficiency.

  https://www.lancashiretelegraph.co.uk/news/8740158.new-nelson-homes-unveiled/

- Three air source heat pumps were installed at Barley Village Hall. You can read more about this project on pages 9 and 10 of the following report.

  http://media.claspinfo.org/sites/default/files/Case-Studies.pdf

- The visitor centre at the Lomeshaye Marsh Local Nature Reserve has a turf (green) roof.

Further Information

The Planning Advisory Service (PAS) maintains a webpage highlighting the range of support available to help councils plan for climate change.

- https://www.local.gov.uk/planning-climate-change

The Local Government Association (LGA) offers a wide range of resources to help councils address environmental sustainability.

- https://www.local.gov.uk/our-support/climate-change-hub