

EXECUTIVE

LEADER: Cllr Gordon Hook

PORTFOLIO HOLDER: Cllr Gary Taylor

DATE: 8 October 2019

REPORT OF: Business Manager Strategic Place

SUBJECT: Existing and future planning policies to meet the challenges of climate change

PART I

RECOMMENDATIONS

The Executive is recommended to

Resolve

That

- the existing policies of the Local Plan which require a reduction in carbon emissions are noted;
- the carbon emissions reduction target in S7 should be read to reflect the new national carbon reduction target which is to achieve a reduction in carbon emissions of at least 100% by 2050 compared to 1990 levels (equivalent to a 48% reduction between 2017 and 2033);
- the existing Teignbridge Local Plan low carbon policies are given an appropriate weight in planning decisions which reflects the council's climate emergency declaration and the new statutory national carbon reduction target;
- a suite of policies is prepared through an update of the Local Plan to meet Climate Change challenges and are developed in consultation with local experts and interest groups, such as Action on Climate in Teignbridge.

1. PURPOSE

- 1.1 To make clear what the current provisions are within the Local Plan for addressing the climate change challenge and to agree that these are given a weight which reflects fully the council's declaration of a climate emergency and the new national statutory carbon reduction target. The report also sets out the Council's direction of travel for a new suite of policies to address the climate change challenges as part of the update to the Local Plan and the Greater Exeter Strategic Plan.

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2. BACKGROUND

- 2.1 The Climate Change Act sets out a pathway to achieve a reduction in carbon emissions of at least 100% by 2050 compared to 1990 levels. This statutory target has recently changed from the previous target which sought an 80% reduction in the same time period. Local Authorities have a crucial role to play in helping to achieve this. In early 2019, this Council pledged to do what is within our powers to make the district carbon neutral by 2025. As part of this, we have a responsibility through discharging our planning functions to ensure that future growth and development in our district is managed in a way which significantly reduces both production and consumption emissions. The greatest contributor to carbon emissions in Teignbridge is transport.
- 2.2 The National Planning Policy Framework is clear that the planning system should ensure that places are shaped in ways which *“contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure”* (p.44).
- 2.3 Our current Local Plan (2013-2033) recognises the challenges of climate change and includes various policies which require new developments to reduce their carbon emissions and be delivered with infrastructure in place to support the transition to a low carbon future. There is therefore much that we can do within the provisions of our current Local Plan to contribute to reductions in carbon emissions.
- 2.4 The Local Plan 2013-2033 contains three policies which are directly relevant to meeting the climate change challenge. These are:
- Policy S7 Carbon Emission Targets: this policy seeks to work proactively with partners and through public and private investment and the management of development to achieve reductions of about 42% from 2009 levels by 2030. This reduction is working towards the previous national statutory target to achieve an 80% reduction in emissions between 1990 and 2050. The national target was updated by regulation earlier this year, and now seeks a 100% reduction by 2050 (i.e. carbon neutrality). The Local Plan target therefore now reflects an out of date national target. It is possible to calculate a straight line projection between 2017 (the most recent available local authority level data on carbon emissions) and the 2050 target. Effectively, this would require that the policy is read as if it has been updated to reflect the new national policy, implying a 48% reduction target between 2017 and 2033.
 - Policy S9 Sustainable Transport: requires adequate provision of transport infrastructure, including that for electric vehicles. (NB: it should also be noted that some of our adopted Neighbourhood Plans also include requirements for EV charging points).

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- Policy EN3 Carbon Reduction Plans: this policy states that all development proposals should seek to minimise their carbon footprint both during construction, and in use, to achieve the target in policy S7. It further requires major developments (those of 10 or more dwellings or more than 1,000sqm floorspace) to demonstrate how they will achieve this through a carbon reduction plan.

- 2.5 Whilst there are clearly improvements that can be made to our existing policies, the regulatory provisions for introducing new policy requirements significantly limit the scope for doing this outside of the normal statutory plan making process. Such processes can take several years and require both extensive consultation and a public examination to test their soundness. In the next couple of years or so, therefore, the most practical course of action within the local planning dimension is to take steps to give appropriate weight to the relevant Local Plan policies. By unanimously declaring a climate emergency, the council has indicated that it believes policies like these are key to the consideration of planning applications. It must be emphasised that they are not the only important local plan policies for the achievement of sustainable development (i.e. taking account of social, economic and environmental factors in the round) but the recommendation to this report is that the weight to be attached to them should reflect the sense of urgency within the council's climate emergency declaration.
- 2.6 The implementation of policies S7, S9 and EN3 can require technically complex and specialist skills which are not currently contained within the planning service. It is therefore important that such skills are available to consider and enforce documents such as carbon reduction plans. The report recommends that appropriate budget is made available, without which the implementation of these existing policies will be uncertain.

3. MAIN IMPLICATIONS

Improving current policy implementation

- 3.1 A report to Full Council on 24 September 2019 has recommended that a full time officer post is created to provide in house expertise on low carbon and climate change matters. The job description for this post includes the assessment of carbon reduction plans submitted through the planning process. However, until such time as this post is filled, it is considered necessary to make allowances within the budget to buy-in expert consultancy support to scrutinise any submitted carbon reduction plans. It is estimated that the assessment of a carbon reduction plan will be in the region of £5k.
- 3.2 There is scope for improvement in how we currently ask for infrastructure for electric vehicles and therefore this requirement in S9(e) will now be proactively sought on all relevant applications.
- 3.3 It should be noted however that requiring the achievement of reduced carbon emissions and the provision of electric vehicle infrastructure may lead to increasing viability difficulties for developers. There is therefore a possibility that

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other planning gains (such as affordable housing, community facilities etc.) sought through the development management process may need to be balanced when determining applications.

Future Policies

- 3.4 As stated above, it is not possible under the Town and Country Planning (Local Planning) (England) Regulations 2012 (and subsequent amendments) to introduce new policies outside of the statutory plan making process. As such, our policies relating to the climate change challenge will be added to and amended through the update to the Local Plan and, on a more strategic basis, through the Greater Exeter Strategic Plan (GESP). It is anticipated that refreshed Local Plan policies will be in place by mid to late 2021 with policies in the GESP to follow.
- 3.5 There are a number of opportunities where Teignbridge and the Greater Exeter area can plan proactively for minimising carbon emissions and embracing latest smart technologies. It is proposed that refreshed policies through the Local Plan and GESP include provision for the following:
- All development proposals will include the infrastructure to be ready for electric vehicles;
 - A low carbon, efficient transport network to serve the Greater Exeter area through:
 - Provision of a reliable and consistent standard of sustainable travel between Exeter and the main towns and growth locations, including half hourly rail, quarter hourly bus and strategic cycle routes; and
 - Developing Park and Ride or Park and Change sites on all key road corridors into Exeter, doubling the number of spaces serving the city and improving cross-city bus corridors and access to edge of city growth locations and employment areas;
 - Applicants for all developments which propose the construction of new home(s) or non-residential floorspace will be required to submit a Carbon Reduction Plan to the local planning authority for approval.
 - Minimising energy demand across the development by sensitive design, using landform, layout, building orientation, tree planting, massing and landscaping to reduce likely energy consumption and increase resilience to higher temperatures;
 - Maximising the proportion of energy generated within new developments that come from renewable or low carbon sources;
 - Ensuring 'in-use' performance is as close as possible to designed intent;
 - The setting up of a carbon offsetting fund where it is not feasible or viable to deliver carbon reduction requirements on-site; and
 - Support for low carbon and renewable energy schemes, smart energy networks and community owned low/zero carbon energy projects.

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- 3.6 Policies to this effect are currently being drafted and will be consulted on in the next publication of the Local Plan and GESP. In essence, these opportunities will only be fully realised once these plans have been progressed through to adoption.

4. TIME-SCALE

- 4.1 An appropriate focus on the implementation of existing policies is an immediate impact, and by allowing for additional expertise to be bought in the impact can be increased significantly.
- 4.2 Refreshed policies will not be able to be fully implemented until the update to the Local Plan and/or GESP is adopted (Local Plan Part 1 currently expected to be adopted mid 2021).

5. JUSTIFICATION

- 5.1 The Council has a responsibility through its planning functions to ensure that new development supports the transition to a low carbon future. Existing policies of the Local Plan should be implemented as effectively as possible and timely progress on the Local Plan update will enable us prepare new policies which are able to achieve the most positive impact and change. Addressing the energy and climate change challenge not only benefits the environment but has social and economic benefits too, helping to improve energy security, reduce fuel poverty, increase revenue from renewable energy generation and support general health and wellbeing of our population.

6. FINANCIAL IMPLICATIONS

- 6.1 The financial implications arising from this report relate to the costs of using specialist consultants to assess carbon reduction plans. This will only be a short term pressure in the interim period until an in-house specialist is recruited. On this basis it is anticipated that the costs associated with this will be in the region of £5k (although this depends on the number of relevant applications being submitted). This can be financed using underspend from last year's Local Plan budget.
- 6.2 The costs associated with reviewing the Local Plan are addressed in a separate report to the Executive (Teignbridge Local Plan Review and Wolborough Masterplan Timetables and Local Development Scheme – 8 October 2019).

7. DATE OF IMPLEMENTATION (CONFIRMATION OF DECISION SUBJECT TO CALL-IN)

10.00 a.m. on 18 October 2019.

Simon Thornley
Business Manager, Strategic Place

Cllr Taylor
Portfolio Holder for Planning and
Housing

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BELOW TO BE FILLED IN BY REPORT AUTHOR:

Wards affected	All outside Dartmoor NP
Contact for any more information	Trevor Shaw
Background Papers (For Part I reports only)	Teignbridge Local Plan
Key Decision	Y
In Forward Plan	Y
In O&S Work Programme	N
Community Impact Assessment attached:	N
Appendices attached:	N

APPENDIX