



# WOKINGHAM BOROUGH COUNCIL

A Meeting of an **INDIVIDUAL EXECUTIVE MEMBER DECISION** will be held in David Hicks 1 - Civic Offices, Shute End, Wokingham RG40 1BN on **TUESDAY 20 DECEMBER 2022 AT 11.00 AM**

Susan Parsonage  
Chief Executive  
Published on 12 December 2022

Note: Non-Committee Members and members of the public are welcome to attend the meeting or participate in the meeting virtually, in line with the Council's Constitution. If you wish to participate either in person or virtually via Microsoft Teams please contact Democratic Services. The meeting can also be watched live using the following link:

[https://youtu.be/1wCl\\_nNYsuM](https://youtu.be/1wCl_nNYsuM)

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# WOKINGHAM BOROUGH COUNCIL

## Our Vision

***A great place to live, learn, work and grow and a great place to do business***

### Enriching Lives

- Champion outstanding education and enable our children and young people to achieve their full potential, regardless of their background.
- Support our residents to lead happy, healthy lives and provide access to good leisure facilities to complement an active lifestyle.
- Engage and involve our communities through arts and culture and create a sense of identity which people feel part of.
- Support growth in our local economy and help to build business.

### Safe, Strong, Communities

- Protect and safeguard our children, young and vulnerable people.
- Offer quality care and support, at the right time, to prevent the need for long term care.
- Nurture communities and help them to thrive.
- Ensure our borough and communities remain safe for all.

### A Clean and Green Borough

- Do all we can to become carbon neutral and sustainable for the future.
- Protect our borough, keep it clean and enhance our green areas.
- Reduce our waste, improve biodiversity and increase recycling.
- Connect our parks and open spaces with green cycleways.

### Right Homes, Right Places

- Offer quality, affordable, sustainable homes fit for the future.
- Build our fair share of housing with the right infrastructure to support and enable our borough to grow.
- Protect our unique places and preserve our natural environment.
- Help with your housing needs and support people to live independently in their own homes.

### Keeping the Borough Moving

- Maintain and improve our roads, footpaths and cycleways.
- Tackle traffic congestion, minimise delays and disruptions.
- Enable safe and sustainable travel around the borough with good transport infrastructure.
- Promote healthy alternative travel options and support our partners to offer affordable, accessible public transport with good network links.

### Changing the Way We Work for You

- Be relentlessly customer focussed.
- Work with our partners to provide efficient, effective, joined up services which are focussed around you.
- Communicate better with you, owning issues, updating on progress and responding appropriately as well as promoting what is happening in our Borough.
- Drive innovative digital ways of working that will connect our communities, businesses and customers to our services in a way that suits their needs.

**For consideration by**

**Lindsay Ferris, Executive Member for Planning and Local Plan**

**Officers Present**

**James McCabe, Senior Planning Officer - Growth and Delivery**

**Callum Wernham, Democratic & Electoral Services Specialist**

<b>IMD NO.</b>	<b>WARD</b>	<b>SUBJECT</b>	
IMD 2022/19	None Specific	<b>DECISION ON PUBLICATION OF A CLIMATE CHANGE INTERIM POLICY POSITION STATEMENT</b>	<b>5 - 30</b>

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# Agenda Item IMD19

## INDIVIDUAL EXECUTIVE MEMBER DECISION

REFERENCE IMD: 2022/19

<b>TITLE</b>	Decision on publication of a Climate Change Interim Policy Position Statement
<b>DECISION TO BE MADE BY</b>	Executive Member for Planning and Local Plan - Lindsay Ferris
<b>DATE, MEETING ROOM and TIME</b>	20 December 2022 David Hicks 1 at 11am
<b>WARD</b>	None Specific;
<b>DIRECTOR / KEY OFFICER</b>	Director, Place and Growth - Steve Moore

### **PURPOSE OF REPORT (Inc Strategic Outcomes)**

To agree a Climate Change Interim Policy Position Statement to encourage higher sustainability standards from development.

### **RECOMMENDATION**

That the Executive Member for Planning and Local Plan:

- 1) approves the Climate Change Interim Policy Position Statement, contained in Enclosure 1;
- 2) agrees that it form a material planning consideration when determining planning applications.

### **SUMMARY OF REPORT**

WBC declared a Climate Emergency on 18th July 2019. The declaration set out the commitment to play as full a role as possible in achieving a carbon neutral Wokingham Borough by 2030.

Planning decisions made now will have long term consequences for our communities and the environment. Ambitious planning policies to respond to the Climate Emergency will be proposed within the LPU. In the intervening period, it is not lawfully possible to set new standards. It is possible, however for WBC to incentivise higher sustainability standards by formally adopting a position which confirms that responses which go beyond adopted policy will be considered positively in the planning balance when determining planning applications.

The purpose of the Climate Change Interim Policy Position Statement (CCIPPS) is to formally confirm that the Climate Emergency and the delivery of higher sustainability standards will be material when assessing planning applications.

It should be recognised that the CCIPPS is not in itself planning policy and is not part of the statutory Development Plan. It is an explanatory document, which will serve as a tool to encourage and justify higher sustainability standards being sought. However, it cannot mandate requirements beyond adopted policy.

## **Background**

Wokingham Borough Council's (WBC) current policies are set out within the Core Strategy local plan (2010) and the Managing Development Delivery (MDD) local plan (2014). Both local plans look towards the year 2026. These plans were prepared with the intention of promoting the sustainable use, conservation and disposal of resources while mitigating and adapting to climate change. At the time of their preparation there was an expectation that all new homes built after 2016 and new non-domestic buildings built after 2019 would be zero carbon through national actions. The Government subsequently decided to abandon these plans.

WBC is in the process of producing a new local plan, known as the Local Plan Update (LPU). The LPU will put in place a spatial strategy and set of planning policies to manage development over the longer term, replacing the Core Strategy and MDD local plans. The LPU is at a consultative stage of preparation with adoption not expected before 2024. In the intervening period, the emerging LPU carries only limited weight when assessing planning applications.

WBC declared a Climate Emergency on 18th July 2019. The declaration set out the commitment to play as full a role as possible in achieving a carbon neutral Wokingham Borough by 2030, leading by example as well as by exhortation. Amongst other things, the declaration committed WBC to produce a Climate Emergency Action Plan. The declaration of a Climate Emergency has led to an increased appreciation and prioritisation of sustainability. It is recognised that 2030 is fast approaching, and therefore action must be taken in the short term.

## **Business Case (including Analysis of Issues)**

Planning decisions made now will have long term consequences for our communities and the environment. The Climate Emergency is undoubtedly one of the biggest challenges that humanity has ever faced, and the planning process is an important mechanism to help address the causes and impacts of climate change.

Ambitious planning policies to respond to the Climate Emergency will be proposed within the LPU. In the intervening period, it is not lawfully possible to set new standards. It is possible, however for WBC to incentivise higher sustainability standards by formally adopting a position which confirms that responses which go beyond adopted policy will be considered positively in the planning balance when determining planning applications.

The purpose of the Climate Change Interim Policy Position Statement (CCIPPS) is to formally confirm that the Climate Emergency and the delivery of higher sustainability standards will be material when assessing planning applications. The CCIPPS makes clear that WBC will expect, as a minimum, that development proposals contribute to climate change mitigation and adaptation by applying adopted policies to their best effect. It is also an expectation that development proposals play their part and go beyond current requirements to be more aligned with emerging local and national policy. Where development proposals demonstrably go above and beyond adopted policy requirements, this will be weighed positively in the balance when assessing a development proposal. Applicants will be expected to demonstrate compliance with

these aims through their Sustainability Assessment (or Energy Statement) as required by our Local List.

The CCIPPS contains sections on the Climate Emergency position within Wokingham Borough; introduce the national legislation and policy context; outline the policy position in the existing development plan; consider the emerging local planning policy position; and finally concluding on what is expected of development proposals. A brief summary of each section is provided below.

### Climate Emergency

This provides the background to WBC's declaration of a Climate Emergency in July 2019. It introduces and summarises the key priorities in the Climate Emergency Action Plan (CEAP), which all to a greater or lesser degree are impacted by decisions on planning proposals. The key message of this section is that the Climate Emergency and CEAP are material considerations for planning purposes and should be recognised by applicants and decision makers.

### National legislative and policy context

This section summarises the key legislation and policy relating to climate change and the planning system. This includes:

- Planning and Compulsory Purchase Act (2004)
- Climate Change Act (2008)
- Planning and Energy Act (2008)
- Neighbourhood Planning Act (2017)
- National Planning Policy Framework (NPPF)
- Planning Practice Guidance
- Future Homes Standard
- Future Buildings Standard

There is a clear legal duty and policy basis for plan making and decision taking to contribute to the mitigation of, and adaptation to, climate change which should run through all planning decisions. All of the above, and other relevant legislation and best practice guidance, should be inform planning proposals and decisions.

### Existing development plan policy

In this section, the principal policies relating to climate change and sustainability within the Core Strategy and MDD local plans are summarised in Table 1. This includes a status column against each policy, setting out whether or not further policy clarifications are required to take into account any material considerations which have arisen since the policy was originally adopted. Where a policy clarification is not required, the existing policy will be applied as written until superseded by the LPU. Where clarifications are indicated as being required in the status column, details of those changes or revisions are provided in Table 2. This sets out the clarification or interpretation considered necessary in light of the Climate Emergency and other material considerations that have arisen since adoption of the relevant policy. It also provides the justification for the proposed clarification. The aim of this section is to therefore ensure, as a minimum, that existing policies are applied to their fullest effect.

## Emerging local planning policy position

This section signposts to the wide range of emerging policies contained within the [Draft Plan \(2020\)](#). It also sets out that where the more stringent standards in emerging policy, as compared to adopted policy, can be achieved, this will be encouraged.

## Conclusion

This section draws together the key messages from preceding sections before concluding on what is expected of development proposals. It makes clear that 'green washing' will not be acceptable and that existing recognised assessment methods will be encouraged, especially those with post occupancy monitoring requirements, in order that promised performance is realised in practice.

It also cautions that the statement does not, and cannot, override the general presumption in favour of sustainable development which has multiple dimensions. In short, delivering net zero operational buildings does not override other planning concerns, such as avoiding isolated development in the countryside where there is limited sustainable access to services and facilities.

## **FINANCIAL IMPLICATIONS OF THE RECOMMENDATION**

***The Council faces unprecedented financial pressures as a result of; the longer term impact of the COVID-19 crisis, Brexit, the war in Ukraine and the general economic climate of rising prices and the increasing cost of debt. It is therefore imperative that Council resources are optimised and are focused on the vulnerable and on its highest priorities.***

	How much will it Cost/ (Save)	Is there sufficient funding – if not quantify the Shortfall	Revenue or Capital?
Current Financial Year (Year 1)	Nil	n/a	n/a
Next Financial Year (Year 2)	Nil	n/a	n/a
Following Financial Year (Year 3)	Nil	n/a	n/a

### **Other financial information relevant to the Recommendation/Decision**

The purpose of the recommendation to agree the CCIPPS is to encourage higher sustainability standards from development. The recommendation carries no financial implications itself – it seeks to set out and explain additional requirements for applicants.

The implementation of the CCIPPS will not lead to increased costs in the determination of most applications, however there may be occasions when specialist input may be deemed necessary, which will be covered from within existing budgets.



<b>Cross-Council Implications</b>
No cross-council implications arise as a result of this consultation exercise.

<b>Public Sector Equality Duty</b>
An Equalities Impact Screening Report was produced and is available on request.

<b>SUMMARY OF CONSULTATION RESPONSES</b>	
<b>Director – Resources and Assets</b>	No comments
<b>Monitoring Officer</b>	No comments
<b>Leader of the Council</b>	No comments

<b>Reasons for considering the report in Part 2</b>
N/A

<b>List of Background Papers</b>
Enclosure 1: Climate Change Interim Policy Position Statement – December 2022 <a href="#">Climate Emergency Declaration</a> <a href="#">Climate Emergency Action Plan</a> <a href="#">National Planning Policy Framework</a> <a href="#">Core Strategy (2010)</a> <a href="#">Managing Development Delivery Local Plan (2014)</a>

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# **Climate Change Interim Policy Position Statement**

## **Wokingham Borough Council**

December 2022

DRAFT



**WOKINGHAM  
BOROUGH COUNCIL**

## Contents

1. Introduction .....	3
2. Climate Emergency .....	4
3. National legislative and policy context .....	5
Planning and Compulsory Purchase Act 2004 .....	5
Climate Change Act (2008) .....	5
Planning and Energy Act (2008).....	5
Neighbourhood Planning Act 2017.....	6
National Planning Policy Framework (NPPF) .....	6
Planning Practice Guidance .....	7
Future Homes Standard.....	7
Future Buildings Standard .....	8
Summary.....	8
4. Existing development plan .....	10
5. Emerging Local Plan.....	15
6. General Relevance of the Climate Emergency in determining planning applications .....	16

## 1. Introduction

- 1.1 This Interim Planning Policy Position Statement sets out the position of Wokingham Borough Council (WBC) on the issue of climate change when assessing planning applications. The Statement is not in itself planning policy and is not part of the statutory Development Plan. It is an explanatory document, emphasising that the Climate Emergency is a key material consideration when assessing planning applications.
- 1.2 The adopted local plans – namely the Core Strategy (2010) and Managing Development Delivery Local Plan (MDD) (2014) – were prepared with the intention of promoting the sustainable use, conservation and disposal of resources while mitigating and adapting to climate change. At this time there was a national expectation that all new homes built after 2016 and new non-domestic buildings built after 2019 would be zero carbon. The Government subsequently decided to abandon these plans.
- 1.3 WBC is in the process of producing a new local plan, known as the Local Plan Update (LPU). The LPU is still in a consultative stage of preparation and adoption is not expected before 2024. It will, therefore, be some time before the emerging LPU carries significant weight when assessing planning applications.
- 1.4 Notwithstanding, WBC is aware that the decisions made now will have long term consequences for our communities and the environment. The Climate Crisis is undoubtedly one of the biggest challenges that humanity has ever faced and the planning process is an important mechanism to help deal with the causes and impacts of climate change.
- 1.5 The aim of this Statement is to confirm that the Climate Emergency will be material when assessing planning applications. This statement makes clear that WBC will expect, as a minimum, that development proposals contribute to climate change mitigation and adaptation by applying adopted policies to their best effect. It is also an expectation that development proposals play their part and go beyond current requirements to be more aligned with emerging local and national policy. Where development proposals demonstrably go above and beyond adopted policy requirements, this will be weighed positively in the balance when assessing a development proposal. Applicants will be expected to demonstrate compliance with these aims through their Sustainability Assessment (or Energy Statement) as required by our [Local List](#).
- 1.6 This Statement will apply until the LPU is adopted. The contents will be kept under review and amendments and clarifications made if necessary.
- 1.7 The following sections summarise the Climate Emergency position within Wokingham Borough; introduce the national legislation and policy context; outline the policy position in the existing development plan; consider the emerging local planning policy position; before concluding on what is expected of development proposals.

## 2. Climate Emergency

- 2.1 WBC declared a Climate Emergency on 18th July 2019. The declaration set out the commitment to play as full a role as possible, leading by example as well as by exhortation, in achieving a carbon neutral Wokingham Borough by 2030. Amongst other things, the motion committed the council to produce a Climate Emergency Action Plan.
- 2.2 The [Climate Emergency Action Plan](#) (CEAP) sets out baseline emissions data for the borough and lays out activities that WBC intend to take towards the aim of net zero carbon by 2030. Since the initial CEAP was published, three Climate Emergency Action Plan Progress Reports have been produced, detailing updates on each action and refining the specific targets. The CEAP has evolved, and will continue to, as work progresses.
- 2.3 The CEAP identifies the roles that the planning system can play in responding to the climate emergency in relation to both mitigation of, and adaptation to, ongoing and future climate change.
- 2.4 WBC's declaration of a Climate Emergency has led to an increased appreciation of the importance of prioritising the sustainability of development. It is recognised that 2030 is fast approaching, and therefore action must be taken in the short term.
- 2.5 The CEAP sets out the following eight key priorities:
  - Reduce carbon dioxide emissions from transport
  - Reduce carbon dioxide emissions from domestic and business property
  - Generate more renewable energy in the borough
  - Create a local plan that specifies net zero construction and infrastructure
  - Increase the levels of carbon sequestration in the borough through greening the environment
  - Engage with young people and support sustainable schools
  - Reduce waste sent to landfill
  - Encouraging behaviour change
- 2.6 Planning decisions have a role to play in addressing all of these priorities, to varying degrees. For example, a contribution to sequestration through greening the environment will be made through the approval of appropriate landscaping schemes associated with planning applications, including the retention of existing mature trees which sequester a much higher amount of carbon than young trees.
- 2.7 The declaration of a Climate Emergency and the CEAP (and supporting documents) are both material considerations for planning purposes. They should be recognised as such by both applicants / developers and decision makers through the planning application process.

### 3. National legislative and policy context

- 3.1 National legislation and policy set out how plan-making and decision-taking in the planning system should contribute to mitigation of, and adaptation to climate change. Key legislation and policy is summarised below, but this should not be considered exhaustive.

#### *Planning and Compulsory Purchase Act 2004*

- 3.2 Planning and Compulsory Purchase Act (2004)<sup>1</sup> sets out duties for plan-making in England. Section 19(1A) of the act (as amended by Section 182 of the Planning Act 2008) states:

*“Development plan documents must (taken as a whole) include 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.”*

- 3.3 This duty clearly demonstrates the priority that local planning authorities must give to climate change in plan-making.

#### *Climate Change Act (2008)*

- 3.4 The Climate Change Act (2008)<sup>2</sup> introduced a statutory target for the UK to reduce greenhouse gas emissions by 80% by 2050. This was updated in June 2019 under the Climate Change Act 2008 (2050 Target Amendment) Order<sup>3</sup> to a 100% reduction (or net zero) by 2050.

- 3.5 In order to reach emissions targets, the Climate Change Act established carbon budgets within the UK. Carbon budgets are a cap on the amount of carbon the country can produce, set in 5-year periods. This is a stepped target where the budget gets progressively tighter. The UK has successfully met the first two budgets and is on track to meet the third budget set for 2018 – 2022 (a 37% reduction). In April 2021, the UK Government announced it will set in law the world’s most ambitious climate change target for its sixth carbon budget (2033 to 2037), cutting emissions by 78% by 2035 compared to 1990 levels. However, the Climate Change Committee advises that the UK is not on track to achieve this, and neither is it on track to meet the fourth budget set for 2023 – 2027 (51% reduction) nor fifth budget 2028 – 2032 (57% reduction). This reiterates the importance of ambitious actions being taken at all levels.

#### *Planning and Energy Act (2008)*

- 3.6 The Planning and Energy Act (2008)<sup>4</sup> sets out powers for local authorities to have development plan policies which impose reasonable requirements for a proportion of energy used by developments in their area to be energy from renewable sources and/or to be low carbon energy from sources in the locality of the development. As such, this allows

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<sup>1</sup> UK Government (2004) Planning and Compulsory Purchase Act, <https://www.legislation.gov.uk/ukpga/2004/5/contents>

<sup>2</sup> UK Government (2008) The Climate Act, <https://www.legislation.gov.uk/ukpga/2008/27/contents>

<sup>3</sup> UK Government (2019) The Climate Change Act 2008 (2050 Target Amendment) Order 2019, <https://www.legislation.gov.uk/ukpga/2008/27/contents>

<sup>4</sup> UK Government (2008) Planning and Energy Act, <http://www.legislation.gov.uk/ukpga/2008/21/section/1>

local planning authorities to set energy efficiency standards in their development plan policies that exceed the energy efficiency requirements of the Part L Building Regulations.

- 3.7 Section 43 of the Deregulation Act 2015 would have withdrawn this power to set energy efficiency standards from local authorities, however this has not yet been enacted and government has since said that it does not intend to enact it. It was anticipated that Section 43 would be enacted at the same time that government introduced higher energy performance requirements nationally in 2016, through Building Regulations, which according to the Plan Making Written Ministerial Statement March 2015<sup>5</sup> were to be “set at a level equivalent to the (outgoing) Code for Sustainable Homes Level 4” for residential buildings. However, after the General Election in 2015, government scrapped its plans for zero carbon homes and the planned Building Regulations uplift. The amendments to the 2008 Act, to date, have not been enacted.

### *Neighbourhood Planning Act 2017*

- 3.8 This act predominantly relates to neighbourhood plans. However, it introduces a new legal duty on local planning authorities to set out their strategic priorities. The government has indicated that these priorities should be expressed in a strategic plan. This plan is focused on high level strategic issues set out in the National Planning Policy Framework, and these issues include action on climate change.
- 3.9 The emerging LPU contains climate change as a strategic priority as recognised through its policies (see section 5) and Vision and Objectives.

### *National Planning Policy Framework (NPPF)*

- 3.10 The National Planning Policy Framework (NPPF) sets out the government’s planning priorities for England and how these relate to plan making and decision taking. The NPPF is a key material consideration in the development of policy, with local plans tested to ensure the consistency with national policy, and in the determination of applications.
- 3.11 Climate change is referenced throughout the NPPF, with numerous sections / paragraphs relevant to climate change and sustainability issues. This includes an acknowledgment from the outset that climate change adaptation and mitigation is one of the key pillars of sustainable development (Paragraph 8). Some key paragraphs are summarised below.
- 3.12 Paragraphs 104 supports the early consideration of transport issues to, among other things, recognise opportunities to promote walking, cycling and public transport. Paragraph 105 supports growth of places which are or can be made sustainable by limiting the need to travel and offering real choice of sustainable transport modes. Paragraph 106 sets out various matters that planning policies should consider, including providing multiple uses alongside one another (to effectively create walkable neighbourhoods), providing appropriate transport infrastructure, and delivering attractive, high quality walking and cycle networks.

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<sup>5</sup> UK Government (2015) Planning Update: written statement, <https://questions-statements.parliament.uk/written-statements/detail/2015-03-25/HCWS488>, accessed 26/04/21



- 3.13 Section 14 of the NPPF concerns ‘Meeting the challenge of climate change, flooding and coastal change’. In this section, paragraph 152 emphasises the role of the planning system in supporting a shift to a low carbon future and contributing to ‘radical’ reductions in greenhouse gas emissions.
- 3.14 Paragraph 153 requires local plans to “*take a proactive approach to mitigating and adapting to climate change...*” which footnote 53 makes clear should be in line with the Climate Change Act 2008. In effect, this means the objective of a 100% reduction in carbon dioxide emissions by 2050 is a clear obligation for plan making, given compliance with national law and policy is fundamental to a plan being found ‘sound’ through Examination.
- 3.15 Paragraph 154 states that new development should be planned for in ways which avoid increased vulnerability to the impacts of climate change and reduce greenhouse gas emissions.
- 3.16 Paragraphs 155 – 156 require local planning authorities to maximise renewable and low carbon energy and heat through policies in local plans and neighbourhood plans.
- 3.17 Paragraphs 157 – 158 deal with individual development and emphasise the importance of energy efficient, low-carbon development.

#### *Planning Practice Guidance*

- 3.18 The Planning Practice Guidance (PPG) is a national online resource where the government provides additional detailed guidance to supplement the NPPF. It is a live resource that is updated periodically for reasons that include reflecting new legislation, interpreting Ministerial Statements relevant to planning, and incorporating emerging best practice.
- 3.19 Given its length, the key aspects of the PPG aren’t summarised or replicated here, but key sections are as follows:
- [Climate change](#)
  - [Renewable and low carbon energy](#)
  - [Flood risk and coastal change](#)

#### *LTN 1/20 Cycle infrastructure design*

- 3.20 LTN 1/20 is national cycling design guidance introduced in July 2020 (superseding all previous LTNs on the subject) which sets out minimum requirements for cycle infrastructure, including but not limited to, cycle lanes and tracks, junctions and crossings, construction and maintenance, and cycle parking. The design options detailed in the LTN 1/20 include segregation from traffic, measures for cycling at junctions and roundabouts, and updated guidance on crossings, signal design and the associated traffic signs and road markings.

- 3.21 The design principle of LTN 1/20 represent best practice as regards cycling and walking provision and serve to encourage people out of their cars into active modes of travel. Compliance with LTN 1/20 is also a key requirement in securing funding for cycling schemes.

### *Future Homes Standard*

- 3.22 In 2020, the government consulted on proposed updates to the Building Regulations and the introduction of the Future Homes Standard<sup>6</sup>. The intention was to make new homes more energy efficient and to future-proof them in readiness for low carbon heating systems. The consultation proposed amendments to uplift standards of Part L Building Regulations, in conjunction with more stringent transitional arrangements for these standards to encourage quicker implementation. It also sought to clarify the role of planning authorities in setting energy efficiency standards.
- 3.23 In January 2021, government published the outcome of the Future Homes consultation<sup>7</sup>, outlining what changes will be made and at what pace. The new Standard will ensure that all new homes built from 2025 will produce 75-80% less carbon dioxide emissions than homes delivered to current Building Regulations standards, with low carbon heating and high fabric standards. From 2025, all new homes will be 'zero-carbon ready', requiring no further energy efficiency retrofit work to enable the homes to become zero-carbon as the electricity grid decarbonises. There is expected to be a full technical consultation on what this means starting in 2023. Notwithstanding, the National Grid is currently decarbonising rapidly, and the Government has committed to a fully decarbonised power system by 2035. In order to bridge the gap to net zero in the interim, improved building efficiency and onsite renewables and low / zero carbon heat and power generation will likely be required locally.
- 3.24 For the interim period to 2025, updated Building Regulations – Part L (conservation of fuel and power) – introduced on 15 June 2022, ensure new homes built from that date<sup>8</sup> produce 31% less carbon emissions compared to current standards.
- 3.25 The standard is a “floor” standard (rather than the ceiling) of what the government is seeking to achieve in a very near future. The national imposition of the interim standards demonstrates how crucial it is for the developments to start working towards achieving the 2025 standards now. Whilst there is currently no formal policy requirement to achieve the full Standard, WBC expects the requirements to already influence development proposals being devised and considered now.
- 3.26 In practical terms, to pass the new Part L Target Emission Rate, most new homes will need either heat pumps or gas boilers paired with onsite renewable energy generation such as

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<sup>6</sup> UKGBC (2019) The Policy Handbook, <https://www.ukgbc.org/wp-content/uploads/2020/03/The-Policy-Playbook-v.1.5-March-2020.pdf>, accessed 27/04/21

<sup>7</sup> Ministry of Housing, Communities and Local Government (2021) The Future Homes Standard: 2019 Consultation on changes to Part L (conservation of fuel and power) and Part F (ventilation) of the Building Regulations for new dwellings, [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/956094/Government\\_response\\_to\\_Future\\_Homes\\_Standard\\_consultation.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/956094/Government_response_to_Future_Homes_Standard_consultation.pdf), accessed 28/04/21 (p.10)

<sup>8</sup> Subject to transitional arrangements as set out here:

<https://www.gov.uk/government/publications/conservation-of-fuel-and-power-approved-document-l>

solar panels. To pass the new Part L Target Fabric Energy Efficiency rate, new homes will need to have more insulation in their walls. These requirements will therefore have implications for planning applications e.g. thicker walls for additional insulation may influence building design and size, with implications for the number, size or type of homes that might be achieved across a site.

### *Future Buildings Standard*

- 3.27 In January 2021, the government consulted on proposals for a Future Buildings Standard. This built on the Future Homes Standard, but focussed on non-residential buildings such as offices and shops. The consultation proposed changes to Part L (conservation of fuel and power) and Part F (ventilation) of the Building Regulations.
- 3.28 The outcome to this consultation was published by the government in December 2021. This proposed an interim uplift in energy efficiency, which entered into effect on 15 June 2022. For the interim period to 2025, updated Building Regulations – Part L (conservation of fuel and power) and Part F (ventilation) – ensure new non-residential buildings from that date (subject to transitional arrangements) produce 27% less operational carbon emissions compared to current standards through increased efficiency and fabric improvements.
- 3.29 From 2025, new non-residential buildings will need to be “zero-carbon ready”. A full technical consultation on what this means is expected to take place in 2023.

### *Summary*

- 3.30 Overall, there exists a very strong legislative and policy basis for planning decisions to be taken with Climate Emergency considerations at their heart. WBC expects the above – and any other relevant legislation, policy and best practice not covered – to be appropriately considered and reflected in development proposals.
- 3.31 In particular, the Future Building and Future Homes Standards to be introduced in 2025 provide targets for development proposals to aim towards now. Where development proposals demonstrably go above and beyond the minimum mandatory requirements of the interim standard, this will be weighed positively in the balance.

## 4. Existing development plan

- 4.1 The principal policies within the Core Strategy (2010) (CS) and MDD (2014) local plans relating to climate change and sustainability are summarised in Table 1 below. This is provided as an aid and is not a substitute to reading the policies in full. A status column has been added against each policy, setting out whether or not further policy clarifications are required to take into account any material considerations which have arisen since the policy was originally adopted. In the majority of cases clarifications are not required. Where clarifications are indicated as being required in the status column, details of those changes or revisions are provided in Table 2.

<b>Table 1 – Existing Local Plan climate change related policies</b>		
<b>Local Plan Adopted Policy</b>	<b>Summary</b>	<b>Status / notes</b>
CS Policy CP1 – Sustainable development	All development proposals must conserve and enhance the natural environment.	Policy to be applied as written until superseded by the LPU
CS Policy CP2 – Inclusive communities	New developments should contribute to the provision of services and facilities to create a more sustainable and inclusive environment.	Policy to be applied as written until superseded by the LPU
CS Policy CP3 – General Principles for development	Proposals should seek to ensure improvements to a range of economic, social, and environmental conditions in the area.	Policy to be applied as written until superseded by the LPU
CS Policy CP4 – Infrastructure	New development should be supported by appropriate infrastructure, services, and facilities	Policy to be applied as written until superseded by the LPU
CS Policy CP6 – Managing Travel Demand	Development should be located where there are, or will be, available modal choices to minimise the distance people need to travel.	Policy to be applied as written until superseded by the LPU and supplemented by adopted Highways Design Guide to ensure the user hierarchy is followed in the design of new developments
CS Policy CP7 – Biodiversity	Seeks to protect sites of importance for ecology, geology and biodiversity.	Policy to be applied as written until superseded by the LPU
MDD Policy CC03 – Green Infrastructure, Trees and Landscaping	Seeks to protect and enhance existing landscaping, trees and hedgerows.	Policy to be applied as written until superseded by the LPU – consistent with the new support in the NPPF for new streets to be tree-lined. The CEAP’s support for retaining existing trees, reflecting the fact that mature trees sequester a much higher amount of carbon than young trees which can take years to reach the same level of maturity, is

		also material to the application of CC03.
MDD Policy CC04 – Sustainable Design and Construction	New development should be built to the highest possible sustainable design and construction standards	Clarifications proposed – see Table 2 below
MDD Policy CC05 -	Renewable energy and decentralised energy networks	Clarifications proposed – see Table 2 below
MDD Policy CC09 – Development And Flood Risk (from all sources)	Planning applications must take into account all sources of flood risk and development guided to areas of lowest flood risk	Policy to be applied as written until superseded by the LPU
MDD Policy CC10 – Sustainable Drainage	All developments must ensure surface water is managed in a sustainable manner	Policy to be applied as written until superseded by the LPU – including reference to WBC’s SuDs Strategy and Technical Guide (2017)
MDD Policy TB21 – Landscape Character	Seeks to conserve and enhance existing landscape character	Policy to be applied as written until superseded by the LPU
MDD Policy TB22 – Sites of Urban Landscape Value	Seeks to conserve and enhance existing landscape character and recreational value in urban areas	Policy to be applied as written until superseded by the LPU
MDD Policy TB23 – Biodiversity and Development	Seeks to build on policy CP7 and encourage developments to be designed to provide opportunities for new or enhanced biodiversity, protect existing assets, and increase ecological permeability	Clarifications proposed – see Table 2 below

- 4.2 Given the urgent need to ensure the introduction of measures to meet both government and local Climate Change commitments, the WBC considers it prudent and necessary through this position statement to clarify how WBC will interpret its existing development plan policies in the context of updated material considerations and circumstances until the new LPU is progressed to a stage where it can be afforded significant weight, and subsequently adopted.
- 4.3 As set out above, where clarifications are required in relation to policies set out in Table 1, these have been re-provided in Table 2 below. Column 1 sets out the relevant policy wording. Where elements of a particular policy require no clarification, this is not replicated below and should continue to be applied as adopted. The second column provides the clarification or interpretation required in light of the climate emergency and other material considerations in this statement that have arisen since adoption of the relevant policy. The final column provides the justification for the proposed clarification.
- 4.4 WBC is of the view that the original aim or intent of the adopted policies remains as is, even where clarifications are recommended. These policy clarifications provide a focus on those matters which will have the most impact in responding to the nature of the climate emergency since the current planning policy was adopted.
- 4.5 Some of the policy clarifications in Table 2 below are already requirements – for example compliance with national policy or existing Building Regulations, while others are targets

which WBC will encourage developers to meet to accord with its wider climate change objectives. While the following clarifications are not adopted local plan policy, applicants are encouraged to strive for and work towards achieving the outcomes of these policy clarifications – and where possible exceed them given the nature of the climate emergency and its re-emphasis in both national and local priorities.

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Table 2 – Proposed Clarifications to existing Local Plan climate change related policies		
Existing Local Plan Policy	Policy Application	Justification
<p><i>CC04: Sustainable Design and Construction</i></p> <p><i>Planning permission will only be granted for proposals that seek to deliver high quality sustainably designed and constructed developments by:</i></p> <p><i>1. In respect of all new homes:</i></p> <p><i>a) Seeking to achieve the requirements of the full Code for Sustainable Homes Level 4;</i></p> <p><i>b) Meet internal potable water consumption targets of 105 litres or less per person per day (as part of the requirement to meet full Code for Sustainable Homes Level 4).</i></p>	<p>Given the Code for Sustainable Homes has been withdrawn, applicants must meet the interim Future Homes Standard (as required by Building Regulations) of a minimum 31% reduction in emissions and are encouraged to work towards the full Future Homes Standard of 75-80% less carbon emissions. Any uplift to minimum Building Regulations requirements is a material planning consideration which will be taken into account.</p> <p>The expectation will be that developments meet the optional building regulations standard of 110 litres per person per day as a minimum given CfSH has been revoked. Delivery beyond these standards is a material planning consideration which will be taken into account.</p>	<p>From 15 June 2022 the interim Future Homes Standard has been introduced into Building Regulations Part L and is therefore mandatory for all new applications. The full Future Homes Standard is expected to be introduced shortly (in 2025) and therefore development proposals are encouraged to aim towards this higher standard.</p> <p>Wokingham Borough is situated within part of the country classified as an area of serious water stress. In order to address this issue, and contribute towards wider climate change adaptability, the higher optional standard for water efficiency of 110 litres per person per day is justified.</p>
<p><i>CC04: Sustainable Design and Construction</i></p> <p><i>2. All new non-residential proposals of more than 100 sq m gross non-residential floorspace shall at least:</i></p> <p><i>a) Achieve the necessary mandatory Building Research Establishment Assessment Method (BREEAM) requirements or any future national equivalent</i></p>	<p>Non-residential schemes will be expected to meet the interim Future Buildings Standard (as required by Building Regulations) of a minimum 27% reduction in emissions, as a minimum. In practice, this means meeting BREEAM 'Excellent' standard or higher. Delivery beyond these standards is a material planning consideration which will be taken into account.</p>	<p>A mandatory BREEAM requirement has not been set at the national level, as was the expectation when the policy was introduced. Best practice standards have generally been recognised as at least BREEAM 'Very Good' or 'Excellent' as is reflected in WBC's Sustainable Design and Construction SPD (2014).</p> <p>However, the Future Buildings Standard, requiring new non-residential buildings to achieve a 27% reduction in carbon emissions, came into force on 15 June 2022. It is noted that the current BREEAM 'Very Good' classification does not achieve the minimum</p>



		<p>27% carbon reduction required. All schemes must comply with updated building regulations and achieve the interim Future Building Standard which means requiring BREEAM 'Excellent' is justified. Schemes that work to other standards (for example Passivhaus) will also be considered provided they deliver sustainability outcomes demonstrably equivalent to, or better than, BREEAM 'Excellent'.</p>
<p><i>CC05: Renewable energy and decentralised energy networks</i></p> <p><i>2. Planning permission will only be granted for proposals that deliver a minimum 10% reduction in carbon emissions through renewable energy or low carbon technology where the development is for:</i></p> <p><i>a) Schemes of more than 10 dwellings (gross), or</i></p> <p><i>b) Non-residential proposals of more than 1,000 sq m gross floorspace.</i></p> <p><i>3. Proposals for renewable energy and decentralised energy works, including wind turbines, must demonstrate that:</i></p> <p><i>a) They are appropriate in scale, location and technology type;</i></p> <p><i>b) Are compatible with the surrounding area, including the impact of noise and odour;</i></p> <p><i>c) Do not have a damaging impact on the local topography and landscape;</i></p> <p><i>d) There is no significant impact upon heritage assets, including views important to their setting;</i></p> <p><i>e) In the case of wind turbines, take account of their cumulative effect and properly reflect their</i></p>	<p>For clarification, the policy requirement for 10% energy reduction through renewable / low carbon technologies is expected to be achieved in addition to the uplifted emissions improvements required through Building Regulations (as updated in June 2022).</p> <p>Renewable and low carbon energy schemes will be supported in appropriate locations and where consistent with other relevant policies.</p> <p>WBC will consider the climate change benefits of a proposal when assessing the acceptability of a renewable energy application and take a positive presumption, supporting schemes unless the harm is significant and not outweighed by the benefits.</p>	<p>CC05 supporting text is clear <i>"The relevant standards in the assessment are those set by Building Regulations at the time of submission of a planning application."</i> (paragraph 2.38). The uplifted building regulations introduced in June 2022 are the mandatory starting point. WBC expects fabric efficiency improvements, such as additional insulation, to be used to meet building regulations and for the additional 10% policy requirement to be sought in addition to these improvements.</p> <p>To accord with the NPPF, in particular paragraphs 152, 155, 156, and 158:</p> <p><i>"152. The planning system should support the transition to a low carbon future in a changing climate ... It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions... and support renewable and low carbon energy and associated infrastructure."</i></p> <p><i>"155. To help increase the use and supply of renewable and low carbon energy and heat, plans should:</i></p> <p><i>a) provide a positive strategy for energy from these sources, that maximises the potential for suitable development, while ensuring that adverse impacts are addressed satisfactorily (including cumulative landscape and visual impacts); ..."</i></p>



<p><i>increasing impact on the landscape and on local amenity</i></p>		<p><i>“156. Local planning authorities should support community-led initiatives for renewable and low carbon energy, including developments outside areas identified in local plans or other strategic policies that are being taken forward through neighbourhood planning.”</i></p> <p><i>“158. When determining planning applications for renewable and low carbon development, local planning authorities should:</i></p> <p><i>a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and</i></p> <p><i>b) approve the application if its impacts are (or can be made) acceptable<sup>54</sup>. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas.”</i></p>
<p><i>Policy TB23: Biodiversity and Development</i></p> <p><i>1. Sites of national or international importance are shown and sites of local importance are defined on the Policies Map.</i></p> <p><i>2. Planning permission for development proposals will only be granted where they comply with policy CP7 – Biodiversity of the Core Strategy and also demonstrate how they:</i></p> <p><i>a) Provide opportunities, including through design, layout and landscaping to incorporate new biodiversity features or enhance existing</i></p>	<p>Applicants will be expected to go further and identify opportunities to provide biodiversity net gains, with 10% expected as minimum with an ambition to achieve 20%. WBC will consider the measurable net gains when assessing applications.</p>	<p>To accord with NPPF, in particular paragraph 174 and 180:</p> <p><i>“174. Planning policies and decisions should contribute to and enhance the natural and local environment by:...</i></p> <p><i>d) minimising impacts on and <b>providing net gains for biodiversity</b>, including by establishing coherent ecological networks that are more resilient to current and future pressures; “</i></p> <p><i>“180. When determining planning applications, local planning authorities should apply the following principles: ...</i></p> <p><i>d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve</i></p>

b) Provide appropriate buffer zones between development proposals and designated sites as well as habitats and species of principle importance for nature conservation  
c) Ensure that all existing and new developments are ecologically permeable through the protection of existing and the provision of new continuous wildlife corridors, which shall be integrated and linked to the wider green infrastructure network.

*biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.”*

Additionally, the Environment Act will introduce a mandatory net gain requirement of at least 10%, with an intention for this to be mandatory from November 2023. It is reasonable that developments be expected to achieve this now. Further, the council is actively considering the achievement a 20% net gain and therefore strongly encourages this being achieved<sup>9</sup>

DRAFT

<sup>9</sup> See agreed motion: <https://wokingham.moderngov.co.uk/ieListDocuments.aspx?CId=131&MIId=3998>

- 4.6 The key message of this section is that we wish to see development proposals go above and beyond adopted policy requirements wherever possible, and this will be weighed positively in the balance where it can be achieved.
- 4.7 Measures that reduce climate change impacts in ways that were not envisaged by existing policy, for example actions to reduce the embodied carbon of new buildings, will also be considered.

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## 5. Emerging Local Plan

5.1 The emerging LPU contains the following draft policies, consulted upon in 2020<sup>10</sup>, which set out the direction of travel with regards to climate change adaptation and mitigation:

- Policy SS8: Climate Change
- Policy SS9: Adaptation to Climate Change
- Policy C1: Active and Sustainable Transport and Accessibility
- Policy C3: Cycling and Walking
- Policy DH1: Place Making and Quality Design
- Policy DH7: Energy
- Policy DH8: Environmental Standards for non-residential development
- Policy DH9: Environmental Standards for residential development
- Policy DH10: Low carbon and renewable energy generation
- Policy HC5: Environmental Protection
- Policy HC6: Air Pollution and Air Quality
- Policy HC9: Contaminated Land and Water
- Policy NE1: Biodiversity and Nature Conservation
- Policy NE3: Trees, woodland and hedgerows
- Policy NE4: Development and existing trees, woodland and hedgerows
- Policy NE5: Landscape and Design
- Policy NE6: Landscape Character, Value and Green Routes
- Policy NE8: Development and Flood Risk (from all sources)
- Policy NE9: Sustainable Drainage
- Policy NE10: River Corridors
- Policy MW1: Sustainable Waste Management

5.2 WBC is proactively reviewing the draft policies, considering updated evidence and best practice examples to maximise the robustness of policies to ensure they are as effective as possible in order to meet national policy requirements and our Climate Emergency commitments. WBC is committed to demonstrate local leadership on sustainable development.

5.3 The LPU is still at a consultative stage and therefore carries limited weight. Notwithstanding, in addition to the clarifications provided in Section 4, where applicants can demonstrate an ability to satisfy emerging requirements from the LPU which go above and beyond existing policy, this will be encouraged and will be weighed positively into the planning balance when considering applications.

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<sup>10</sup> Available at: <https://www.wokingham.gov.uk/resources/assets/attachment/full/0/508528.pdf>

## 6. General Relevance of the Climate Emergency in determining planning applications

- 6.1 The delivery of sustainable standards above and beyond adopted policy requirements is capable of being a material consideration that can be weighed positively into the planning balance when assessing planning application. As set out above, the Climate Emergency is a key issue for our members at the moment, so it is highly likely that questions on measures proposed to tackle these issues will be an integral part of Planning Committee meetings and application negotiation.
- 6.2 In order for climate emergency matters to be given as much weight as possible, applicants must robustly demonstrate that the proposed development will deliver the promised sustainability standards. To assist, the use of recognised existing assessment methods is encouraged. These include, but are not limited to:
- Building Research Establishment Environmental Assessment Method (BREEAM)
  - CEEQUAL
  - Home Quality Mark
  - Leadership in Energy and Environmental Design (LEED)
  - Passivhaus
  - WELL Building Standard
  - Building for Healthy Life
- 6.3 We would expect applicants agree to the use of planning conditions in order to secure the implementation of all proposed sustainability measures and ensure promises made at the application stage are implemented in practice. This will avoid 'green washing' where promised improvements cannot actually be delivered. In particular, where post occupancy testing can be agreed by condition, this should carry significant weight. Some assessment methods, such as BREEAM, include post occupancy assessments to monitor the 'performance gap'. Therefore, this is not uncommon industry practice and is something we would strongly encourage applicants to utilise more.
- 6.4 It should be recognised that this Statement does not override the general presumption in favour of sustainable development emanating from the National Planning Policy Framework and the subject of local policies. Sustainable development is a multidimensional concept, and refers to economic, social and environmental factors. As such, this Statement must be read in conjunction with the development plan as a whole. For example, the delivery of a net zero carbon dwelling in an isolated countryside location is not desirable where this would be reliant on vehicle journeys to access amenities / facilities and / or where it may have significant harmful impacts on landscape or ecology.
- 6.5 Overall, this statement sets out the desire from WBC to see development proposals being delivered to the highest possible sustainability standards. Where proposals are clearly able to deliver over and above local and national policy requirements as regards climate change, this will be given positive weight in the planning balance.

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