

TRAFFORD COUNCIL

Report to: Executive
Date: 27th June 2011
Report for: Decision
Report of: Executive Member for Economic Growth & Prosperity.

Report Title

Supplementary Note (on Policy L5 - Climate Change) to the Trafford Core Strategy: The outcome of further work undertaken in relation to Davenport Green and Policy L5 – Climate Change

Summary

This supplementary note to the Trafford Core Strategy Report, details outcomes of the consultation held for Policy L5 Climate Change and provides the Executive with the finalised wording for Submission to the Inspector.

The Council undertook additional consultation on Policy L5 – Climate Change between the 6th June and the 20th June 2011. The consultation was open to all parties who made representations at the Publication stage. The Council received six responses, which are summarised in this report.

Recommendation(s)

1. That Executive approves the wording for Policy L5 – Climate Change, as detailed in Appendix 1 of this supplementary report.

Contact person for access to background papers and further information:

Name: Dennis Smith (Head of Strategic Planning & Housing Services). Ext. 4557.

Rob Haslam (Principal Planning Officer (Strategic Planning)). Ext. 4788.

Background Papers

- Trafford Publication Core Strategy (September 2010)
- Trafford Submission Core Strategy (December 2010)
- Suggested Changes Schedule (Core Strategy Core Document CD12.4)
- L5 further consultation – June 2001 (CD12.80)

1.0 Consultation Stage

- 1.1 Following the Examination Sessions on the 25th May 2011, the Inspector requested the Council undertake further changes to Policy L5 – Climate Change to ensure its “soundness”. The proposed changes were published for consultation between the 6th to 20th June 2011, in line with the Inspectors request. The consultation was open to all parties who made representations at the Publication stage.

2.0 Summary of Consultation Responses

- 2.1 Six consultation responses were received and a summary of the comments raised are detailed below:
- Both Peel Holdings and Shell International fully agreed the amended policy.
 - The Coal Authority and The Theatres Trust made no specific comments.
 - Emery Planning Partnership continued to question the viability testing of all of the planning obligation requirements and the compatibility of the policy with the Governments objectives as announced in the recent Ministerial Budget Statement.
 - The National Trust asked for the policy wording in Policy L5.2 to be amended, by asking for the policy to require “applicants to demonstrate how they will minimise their contribution towards climate change”, as opposed to requiring “applicants to demonstrate that they can minimise their contribution towards climate change”.

3.0 Consideration of consultation responses

- 3.1 Following a review of the consultation responses some minor changes to the wording have been provided to make it clear that developers are required to set out a methodology of how climate change reduction measures have been considered (within their supporting carbon reduction statement).
- 3.2 Emery Planning Partnership continue to raise concerns about the viability of development in general, and more specifically the level of planning obligations being sought by the Core Strategy. It is not considered that the representation has raised any new issues that have not already been subject to Examination by the Planning Inspector. In light of this no further amendments are proposed to the Policy.
- 3.3 In terms of the National Trust suggested changes to the wording, having considered this suggestion it has been concluded that such a change would impose an additional burden on development and would not be in spirit of the changes that the Inspector has asked the Council to consider.

4.0 Recommendation

- 4.1 That Executive approve the amendments to Policy L5, as set out in Appendix 1, for Submission to the Inspector.

Key Decision

This is a key decision currently on the Forward Plan: **Yes**

Finance Officer Clearance: (As main report).

Legal Officer Clearance: JL

CORPORATE DIRECTOR'S SIGNATURE *(electronic)*



To confirm that the Financial and Legal Implications have been considered and the Executive Member has cleared the report.

Implications:

Relationship to Policy Framework/Corporate Priorities	The document has been developed to be the Spatial representation of the Trafford Partnership's Sustainable Community Strategy.
Financial	The preparation of the Core Strategy is being funded from the existing Strategic Planning & Developments budget within the EGP Directorate's overall budget.
Legal Implications:	The Core Strategy is being developed in line with the requirements of the Planning and Compulsory Purchase Act 2004 and subsequent amendments.
Equality/Diversity Implications	The Core Strategy has been subjected to EIA assessment to ensure that equality issues have been considered as part of the preparation.
Sustainability Implications	The Core Strategy has been subjected to independent sustainability appraisal throughout its preparation.
Staffing/E-Government/Asset Management Implications	Consultees have been able to make electronic submissions to the Core Strategy consultations on line and all the documents are available to access through the Local Development Framework web page.
Risk Management Implications	The timetable for producing the Core Strategy is set out in the Local Development Scheme.
Health and Safety Implications	None.

Appendix 1

Revised Policy L5 Climate Change

- 14.1 Climate Change is one of the biggest challenges we face and it impacts on a wide range of different policy areas. The effects of climate change need to be considered at all stages of the development process in order to ensure that development minimises its impacts and mitigates its effects.

POLICY L5 CLIMATE CHANGE

L5.1 New development should mitigate and reduce its impact on climate change factors, such as pollution and flooding and maximise its sustainability through improved environmental performance of buildings, lower carbon emissions and renewable or decentralised energy generation.

CO2 Emissions Reduction

L5.2 Major built development proposals will be required to demonstrate how they will seek to minimise their contribution towards and/or mitigate their effects on climate change, in line with both national standards and local opportunities and programmes. For the purposes of this policy, “major development” is defined as comprising:-

- Residential development equal to or greater than 10 units; and
- Non-Residential development above a threshold of 1,000m² floor area.

L5.3 Developments below the thresholds, but involving the erection of a building or substantial improvement to an existing building (such as extensions or change of use), will be encouraged to adopt the principles of energy efficiency and incorporate appropriate micro-generation technologies, to help contribute towards reducing CO₂ emissions within Trafford. Those developments within Conservation Areas or which include Listed Buildings will also be encouraged to adopt these principles.

CO2 Emissions Reduction Target

L5.4 Development will need to demonstrate how it contributes towards reducing CO₂ emissions within the Borough. This should include incorporating measures such as applying sustainable design and construction techniques prior to utilising renewable energy generation technologies, examples of which can be found in the Supporting Technical Note.

L5.5 The Council recognises that the achievable levels of reduction in CO2 emissions in new developments is strongly influenced by, and are dependent upon the scale and location of the proposed development. Therefore, the following spatial areas have been identified which have distinct opportunities for major development to deliver different CO2 reduction targets:

- Low Carbon Growth Areas (LCGAs) – where there is potential to deliver CO2 reduction target of up to 15% above current Building Regulations; and
- Outside LCGAs - where there is potential to deliver CO2 reduction target of up to 5% above current Building Regulations.

L5.6 The main focus for high levels of both residential and economic growth have been tested to determine a CO2 reduction target(s) for the Borough. This has resulted in three LCGAs being identified that the Council considers major development to have the potential to deliver a higher local CO2 emissions reduction target, than the rest of the Borough. This is subject to the new energy generation infrastructure and programmes in these locations being delivered within the plan period. Location plans outlining the LCGAs (Altrincham Town Centre, Carrington and Trafford Park) are provided within the Supporting SPD.

L5.7 These higher CO2 reduction targets will be applicable where the infrastructure exists at the time that the relevant planning application is determined. The higher reduction targets will only be applied until the national standards (Building Regulations) require developments to achieve zero carbon.

How to Calculate and Reduce CO2 Emissions

L5.8 All new built development meeting the thresholds set within Policy L5.2 should detail how they will meet the requirements of this policy alongside their planning application. A template Carbon Budget Statement is included within the associated SPD to help applicants calculate the baseline level of CO2 emissions to be emitted from the proposed development and to provide guidance on measures to reduce emissions.

L5.9 CO2 emissions should be reduced by applying the following hierarchy:-

1. Design and construction techniques to reduce the demand for energy (for example: through the orientation of building; internal layout; and superior energy efficiency measures such as extra insulation);
2. Technology (for example through sourcing low carbon or renewable energy generation, including any district energy network which may be accessible).

L5.10 The Council will encourage applicants to consider and incorporate CO2 reduction design techniques within the building prior to investigating technology solutions. Guidance on both these options is detailed in the associated SPD and the Supporting Technical Note.

Energy Generating Infrastructure Opportunities – Commercial or Community

L5.11 The Council recognises the role that commercial and community low carbon, renewable and decentralised energy generation and distribution facilities can play in reducing CO2 emissions and providing viable energy supply options to serve new and existing developments. The impact of such infrastructure and any suitable mitigation measures will be assessed in line with the policies within this Plan, in particular Policy L7 – Design Quality and Protecting Amenity.

Pollution

L5.12 Development that has potential to cause adverse pollution (of air, light, water, ground), noise or vibration will not be permitted unless it can be demonstrated that adequate mitigation measures can be put in place.

L5.13 Where development is proposed close to existing sources of pollution, noise or vibration, developers will be required to demonstrate that it is sited and designed in such a way as to confine the impact of nuisance from these sources to acceptable levels appropriate to the proposed use concerned.

L5.14 Within the Borough's Air Quality Management Zones developers will be required to adopt measures identified in the Greater Manchester Air Quality Action Plan, to ensure that their development would not have an adverse impact on the air quality.

Water

L5.15 The Council will seek to control development in areas at risk of flooding, having regard to the vulnerability of the proposed use and the level of risk in the specific location. This will involve a sequential approach to determining the suitability of land for development and application of the exception test, as outlined in national planning policy, where necessary.

L5.16 Developers will be required to demonstrate, where necessary by an appropriate Flood Risk Assessment (FRA) at the planning application stage, that account has been taken of flood risk from all sources (including rivers, canals, sewers, surface water run-off and groundwater) as identified in the Council's Strategic Flood Risk Assessment and/or shown on the Key Diagram, and that the proposed development incorporates flood mitigation and management measures appropriate to the use and location.

L5.17 Developers will be required to improve water efficiency and reduce surface water run-off through the use of appropriate measures such as rain water harvesting, water recycling and other Sustainable Drainage Systems (SUDS) appropriate to the various parts of the Borough, as mapped in the Council's Strategic Flood Risk Assessment. Further guidance will be set out in the supporting Technical Note SPD.

IMPLEMENTATION

Implementation Mechanisms

Implementation will be through public/private sector development. Climate change priorities will be identified and allocated in the Land Allocations DPD. Other climate change needs will be implemented through the planning application decision making process.

Delivery Agent

The delivery agents will include the public and private sector.

Timescales

This will be ongoing throughout the Plan period. Phasing for the development of the Strategic Locations is set out in detail in Tables L1 and W1. This phasing reflects the likely availability of funding and programme of works anticipated at this time.

Funding

Funding will include private and public sector investment.

Justification Text

CO2 Emissions Reduction

14.2 The policy requires major development to fully consider opportunities of how to reduce CO2 emissions of their proposed development. The Carbon Budget Statement is a tool to help applicants determine how much CO2 their proposed development will emit. Further guidance is set out in the 'How to calculate and reduce CO2 emissions' section of this policy. The thresholds applied within this policy have been tested by the Trafford Low Carbon Study (2011). Developments below these thresholds, Listed Buildings or those located in Conservation Areas are encouraged to adopt the principles of energy efficiency and low carbon energy generation detailed in this policy. Further guidance on energy efficiency for Listed Buildings and developments in Conservation Areas can be found on English Heritage's website.

CO2 Emissions Reduction Target

14.3 The Climate Change Act (Amendment 2009) sets out a target of 34% reduction in CO2 emissions by 2020 and 80% reduction by 2050. This supports the Government's policy commitment through Building Regulations to progressively reduce CO2 emissions from new buildings through to 2016 and from non-residential buildings through to 2019, or any subsequent superseding timescales.

14.4 The justification to set local CO2 emissions reduction targets is detailed in national, sub-regional and local documents. The Supplement to PPS1 sets out the guidance for local authorities to identify the potential for renewable and low carbon technologies and to set local requirements for decentralised energy supply within Development Plan Documents.

- 14.5 In 2009, the UK government designated Greater Manchester as a Low Carbon Economic Area for the Built Environment. This designation indicates that the city region is expected to be an exemplar for low carbon buildings, to provide a focus for job creation and economic development in the low carbon sector. This is supported by the Greater Manchester Strategy, of which a key component is to achieve a reduction in CO₂ emissions of between 30-50% by 2020.
- 14.6 Trafford's Sustainable Community Strategy contains key objectives around carbon emissions reduction: PE5 (more energy saving environmentally friendly homes) and PE6 (less carbon emissions from businesses per capita).
- 14.7 The Trafford Low Carbon Study (2011) identified opportunities across the Borough to reduce CO₂ emissions by more than the national standards. In key areas of the Borough identified as Low Carbon Growth Areas (LCGA's) the reduction could be up to 15%¹, dependent on the nature of the development being proposed.
- 14.8 These areas have been identified as the Council considers that they have the potential to deliver a higher CO₂ emissions reduction target for major development by virtue of the scale, the mix of uses and density it will create opportunities.
- 14.9 The LCGAs identified are Altrincham Town Centre (Policy W2), Carrington (including Policy SL5) and Trafford Park (including Policies SL2 and SL4), the location plans will be identified in the associated SPD.
- 14.10 Within the LCGAs opportunities for both micro-generation technologies and large scale low/zero carbon energy generating infrastructure options (known as Area Wide Options) exist. The micro-generation technologies (of a scale for individual households) tested include: solar hot water, ground source heat pumps, air source heat pumps, biomass boiler, solar photovoltaic, wind and combined heat and power. The Area Wide Options (of a scale to serve large scale development proposals) include: district heat networks, energy from waste, a combination of micro-generation technologies, biomass combined heat and power and utilising waste heat via pipeline from the Carrington power stations.
- 14.11 The Trafford Low Carbon Study (2011) details that up to 5%² CO₂ reduction above national standards can be achieved outside of LCGAs where realistic opportunities exist to connect to existing low/zero carbon energy generating facility(s).
- 14.12 The targets were determined following assessments which considered the scale of the development, the requirements of Affordable Housing and other

¹ The Low Carbon Study (2011) refers to a 40% reduction in carbon emission using 2006 Building Regulations. For the purposes of this policy and when determining planning applications, the current Building Regulations are to be applied (2010). Therefore this translates to a 15% reduction in carbon emissions.

² The Low Carbon Study (2011) refers to a 30% reduction in carbon emission using 2006 Building Regulations. For the purposes of this policy and when determining planning applications, the current Building Regulations are to be applied (2010). Therefore this translates to a 5% reduction in carbon emissions.

s106 contributions, the build cost element for Code for Sustainable Homes (Level 4), technology construction costs and land costs. The selection of development typologies and housing market areas, has demonstrated that delivering CO2 emissions reductions targets higher than national standards would not impact upon the supply or pace of housing delivery set out in the Council's housing trajectory and provision of affordable housing (Policies L1 and L2).

How to calculate and reduce CO2 emissions

- 14.13 All new built development meeting the thresholds should seek to minimise its use of energy. The Council requires the application of good design principles and construction techniques to reduce the energy demand of the development, prior to incorporation of technologies. For example, this could include siting, passive solar gain, thermal performance, internal layouts of rooms, extra insulation (including green roofs and walls resulting from their insulation properties) to maximise the energy efficiency of the development. Further guidance is included in the Supporting Technical Note and associated SPD.
- 14.14 A tool to help applicants identify how much CO2 their proposed development will emit and to calculate the CO2 reduction target has been produced in the form of a Carbon Budget Statement (CBS). A template for the CBS is available in the Supporting Technical Note. Applicants are advised to complete a CBS, or incorporate the content within the Design and Access Statement or Planning Statement which may accompany their planning application. An equivalent document will be accepted if it meets the required content of the CBS. The associated SPD and Supporting Technical Note also offer guidance on design and construction techniques and appropriate technologies.

Delivery

- 14.15 Applicants are advised to use the following to help determine the appropriate percentage reduction in CO2 emissions to be delivered by the proposed development:
- The Trafford Low Carbon Study (2011);
 - The Supporting Technical Note (for guidance on matching/combining technologies to suit development type(s));
 - The Carbon Budget Statement; and
 - Pre-application discussions with the Council to assist in understanding the opportunities for major developments.

Energy Generating Infrastructure Opportunities – Commercial or Community

- 14.16 PPS1 states that planning authorities should provide a framework that promotes and encourages renewable and low carbon energy generation and distribution. Trafford encourages the development of commercial and community energy generation infrastructure in suitable locations, providing the opportunity for new and existing developments to use energy which is more carbon efficient. This position reflects the Department of Energy and Climate

Change (DECC) progression towards formulating a strategy for national and local government to help people individually, and as a part of their community, to heat and power their homes and businesses, to provide energy security as well as CO2 emissions reduction, and delivery of such energy infrastructure should take both of these factors into account.

14.17 The impact of commercial or community energy generating facilities will be assessed in line with the policies within this Plan and against any suitable mitigation measures proposed. Impact will be assessed with particular regard to:

- Matters of design quality: addressing scale, density, height, massing, layout, elevation treatment, materials, hard and soft landscaping, boundary treatment; and
- Matters of protecting amenity: the development to be compatible with the surrounding area; not prejudice the amenity of the future occupiers of the development and/or occupants of adjacent properties by reason of overbearing, overshadowing, overlooking, visual intrusion, noise and/or disturbance, odour or in any other way.

Pollution

14.18 The Borough generally possesses a good quality environment which the Council intends to retain and improve wherever possible. Pollution, noise and vibration damage the environment and should be prevented or mitigated. The Council will use its planning powers as the most effective mechanism to control pollution, noise and vibration at source. Proposals for development close to sources of pollution, noise or vibration will be required to ensure an acceptable environment for users of the development.

14.19 The Trafford Air Quality Management Area identifies where air quality will not reach the national health based objectives. Trafford and the 9 other Greater Manchester Authorities published their Air Quality Action Plan, which sets out how the conurbation will improve air quality. The plan is mainly concerned with tackling transport related emissions, and is closely tied to the Local Transport Plan for Greater Manchester.

Water

14.20 A Strategic Flood Risk Assessment for Greater Manchester was published in August 2008 and identified broad flood risk arising from all sources within the sub-region, including Trafford. Detailed mapping was produced for river flood zones 2 (medium risk), 3a (high risk), 3b (functional floodplain) and 3 (with climate change). A map identifying the different types of Sustainable Drainage System which are appropriate in various parts of the sub-region was also produced.

14.21 Due to a number of data limitations in the sub-regional SFRA, in May 2009 Manchester, Salford and Trafford Councils commissioned further work in the form of a Level 2/Hybrid Strategic Flood Risk Assessment (SFRA). This detailed study, the first outputs from which were published in March 2010, provides an updated assessment of flood risk arising from rivers (including

revised maps for the river flood zones) together with an assessment of flood risk from canals, sewers, surface water and groundwater.

14.22 The Manchester, Salford and Trafford Level 2/Hybrid SFRA comprises 4 volumes:-

1.1 User Guide

1.2 Level 1 Report

1.3 Level 2 Report

1.4 Maps

14.23 Key elements of relevance to Trafford include detailed outputs on flood risk arising from the Manchester Ship Canal, Bridgewater Canal, the River Mersey at Carrington and within Sinderland Brook catchment. A number of Critical Drainage Areas (CDAs) are also identified due to known surface water/sewer flooding issues. The User Guide provides technical advice on reducing runoff within CDAs and advises that Flood Risk Assessments (FRAs) will be required for developments within these areas on sites of 0.5 Hectares or above.

14.24 In accordance with national policy, the Manchester, Salford and Trafford Level 2/Hybrid SFRA will be used to assist in the application of the Sequential and Exception tests in identifying strategic locations and other development areas, and in determining planning applications. Information within the SFRA will also be of benefit in informing a range of other Council functions, including those identified in the Flood and Water Management Act 2010 and related Regulations.

14.25 Trafford has developed a Climate Change Adaptation Strategy setting out in more detail action planned over the next 10 years. It highlights opportunities for water efficiencies and reducing surface runoff. Stamford Brook with its wider more holistic approach to water management is a good example of SUDS.

14.26 In developing its strategic policies for flood risk, the Council has also had regard to the Environment Agency's North West River Basin Management Plan, the objectives of which will need to be achieved by 2015, and Catchment Flood Management Plans for the Upper Mersey and the Irwell.

14.27 Recognising the close hydrological and functional links with neighbouring authorities, the Council will continue to work with other AGMA districts, the Environment Agency, United Utilities and other stakeholders as required on documents such as Surface Water Management Plans, other flood risk/water management studies and strategies.

Which Objective(s) delivered by this Strategic Location/Policy	Reference Number(s)
Key Objective(s) of the SCS	SE7 PE5, PE6, PE7 BH3
Strategic Objective(s)	SO7
Place Objective(s)	TPO16, TPO17 OTO22, OTO23 STO19, STO20 URO14, URO15 MVO14 SAO20, SAO21 ALO25, ALO26 PAO18, PAO19 CAO22, CAO23