

BARNSELY METROPOLITAN BOROUGH COUNCIL

REPORT OF: EXECUTIVE DIRECTOR OF GROWTH & SUSTAINABILITY

TITLE: SUSTAINABLE CONSTRUCTION AND CLIMATE CHANGE ADAPTATION SPD

REPORT TO:	CABINET
Date of Meeting	31st May 2023
Cabinet Member Portfolio	Regeneration and Culture
Key Decision	Yes
Public or Private	Public

Purpose of report

This report seeks authority to consult on a new Supplementary Planning Document Sustainable Construction and Climate Change Adaptation

Council Plan priority

Sustainable Barnsley

Recommendations

That Cabinet:-

- 1. Refers the report to Full Council for authority to adopt the Sustainable Construction and Climate Change Adaptation Supplementary Planning Document.**

1. INTRODUCTION

- 1.1** The Local Plan, adopted on 3rd January 2019, contains policies to be considered when determining planning applications. A number of Supplementary Planning Documents were adopted following the adoption of the Local Plan. These contain further advice and explain how Local Plan policies will be applied.
- 1.2** The Planning & Building Control Service monitors the effectiveness of our policies and guidance on an ongoing basis. In respect of Supplementary Planning Documents, this is to satisfy ourselves that:

- They remain in conformity with national legislation, planning policy and guidance
 - They are helping to ensure that the Local Plan achieves its overall aims and objectives
 - They are enabling decisions to be upheld at appeal
 - They reflect any new social, environmental or economic priorities that may have arisen
- 1.3 Supplementary Planning Documents build upon and provide more detailed advice and guidance on policies in an adopted local plan. As they do not form part of the development plan, they cannot introduce new planning policies into the development plan. They are, however, a material consideration in decision-making. They should not add unnecessarily to the financial burdens on development.
- 1.4 It is proposed to adopt a new SPD called Sustainable Construction and Climate Change Adaptation. This makes clear what our expectations are for developments in respect of sustainability in order to ensure that, as far as possible, new development reflects our zero 40 and zero 45 targets.

2. PROPOSAL

- 2.1 It is proposed that the document is adopted. The Local Plan contains a number of climate change related policies and the SPD provides further guidance on what is expected of developments in relation to these policies. It also indicates where we would welcome and encourage higher standards than those prescribed nationally. Section 4 below provides a brief summary of the changes made in response to issues raised during consultation.

2.2 Public Consultation

Public consultation took place between Monday 28th November 2022 and Friday 6th January, 2023. Consultation was carried out in accordance with the Town and Country Planning (Local Planning) regulations, 2012. 85 comments were made by 14 respondents. Appendix 1 summarises the main issues raised and how comments have been taken into account as well as the reasons why some comments were dismissed.

- 2.3 Appendix 2 contains the final version of the document it is proposed to adopt. Changes proposed following consultation are shown in red underlined text and highlighted yellow.

3. IMPLICATIONS OF THE DECISION

3.1 Financial and Risk

- 3.1.1. Consultations have taken place with representatives of the Service Director – Finance (S151 Officer).
- 3.1.2 Costs will relate to publicity and printing and are estimated to be no more than £1,000. This expenditure will be financed from the Planning budget.

3.1.3 No Appendix A is required.

3.2 Legal

3.2.1 Preparation, consultation and adoption of Supplementary Planning Documents has been carried out in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012.

3.3 Equality

3.3.1 Full Equality Impact Assessment completed.

This complements the Equality Impact Assessment that was carried out to support the Local Plan which concluded that all policies and proposals apply to all sectors of the community equally and that it makes provision for a range of housing types to meet differing needs such as affordable housing. A further assessment was carried out when the suite of SPD's was adopted in 2019. This recognised that the key impacts were around providing translation and interpretation assistance to those individuals that require it to help them understand the SPD's. An action for future consultation was to arrange targeted consultation such as face to face meetings with the equality forums as appropriate, relevant to the subject of the SPD, to ensure our engagement is inclusive. Where appropriate, reasonable adjustments will be considered at venues where documents are made available to ensure accessibility requirements for all attendees are met. A presentation to the Youth Council was given during the consultation period.

3.4 Sustainability

The Sustainability wheel below indicates that implementation of the SPD will have a high positive impact on reducing greenhouse gas emissions and prevention and adaptation to climate change. It is anticipated that its implementation will have a positive impact on all other aspects of the sustainability wheel, with the exception of the air quality, biodiversity and land use change, which it is not expected to affect.



3.5 Employee

3.5.1. There are no employee implications arising from this report.

3.6 Communications

3.6.1 Communications support will be required to publicise the consultation through press releases and social media.

4. CONSULTATION

4.1 Public consultation took place between Monday 28th November 2022 and Friday 6th January, 2023. The minimum consultation period for Supplementary Planning Documents in four weeks. Given that the consultation was going to run over the festive period we added an additional week. Consultation was carried out in accordance with the Town and Country Planning (Local Planning) regulations, 2012. Stakeholders such as developers and agents that regularly operate in Barnsley, together with other people that have expressed an interest in being consulted on our planning documents were notified. The consultation was also generally publicised by a public notice in the Chronicle and in the Council's social media and 'Our Barnsley Weekly Newsletter' that residents can sign up for. The consultation document was also made available in Library@the Lightbox and all branch libraries and a flyer publicised on screens where possible. A presentation was given to the Youth Council. A note summarising issues raised by the Youth Council is contained in appendix 1.

4.2 85 comments were made by 14 respondents. Appendix 1 summarises the main issues raised and how comments have been taken into account or the reasons they have been dismissed. A number of changes have been made to the document. Some changes have been made to improve clarity, for example the text on Future Homes Standard and the relationship of the SPD to Building Regulations. Text has been added to clarify the potential conflict that may arise between living roofs and the installation of PV. A cross reference to the Local Validation Requirements in respect of energy statements has been added. The amended version also seeks to make more the clear what is required and what is advisory.

5. ALTERNATIVE OPTIONS CONSIDERED

5.1 One alternative approach would be not to adopt this document. The proposed content is considered helpful to developers in setting out the local planning authority's expectations and requirements in respect of sustainable construction and ensuring development is resilient to, and can adapt to, climate change.

6. REASONS FOR RECOMMENDATIONS

6.1 The proposed Sustainable Construction and Climate Change Adaptation SPD contains helpful information and guidance that will provide clarity for service

users.

- 6.2 The SPD will also maximise the effectiveness of the relevant climate change policies in the Local Plan. This is reflective of Council's Climate Emergency Declaration and the Zero 40 and Zero 45 programmes.

7. GLOSSARY

SPD Supplementary Planning Document

8. LIST OF APPENDICES

Appendix 1: Summary of comments made and how they have been taken into account

Appendix 2 Draft Sustainable Construction and Climate Change Adaptation SPD

Appendix 3 Equalities Impact Assessment

9. BACKGROUND PAPERS

Barnsley Local Plan <https://www.barnsley.gov.uk/media/17249/local-plan-adopted.pdf>

If you would like to inspect background papers for this report, please email governance@barnsley.gov.uk so that appropriate arrangements can be made

10. REPORT SIGN OFF

Financial consultation & sign off	Senior Financial Services officer consulted <i>Ashley Gray</i>
Legal consultation & sign off	Legal Services officer signed off <i>Bob Power</i>

Report Author: Paula Tweed
Post: Planning Policy Group Leader
Date: 09 May 2023