

#### APPENDIX 15.1: RELEVANT CLIMATE CHANGE POLICY

#### Climate Change Act 2008 (2050 Target Amendment) Order 2019

- 1.1.1 The Climate Change Act 2008 establishes the framework for the UK to set and deliver greenhouse gas emission reduction targets; mainly through the establishment of the Committee on Climate Change which ensures targets are evidence based and independently assessed. The Act commits the UK government to reduce greenhouse gas emissions to a minimum of 80% below 1990 baseline levels by 2050. In 2019, this target was amended to be more ambitious and now the commitment is to reduce greenhouse gas emissions to a minimum of 100% below 1990 baseline levels by 2050. In addition to this, the Government is also required to regularly report on emission target progress, assess the risks and opportunities to the UK associated with climate change, and develop preparation and adaptive plans for these.
- 1.1.2 The UK Climate Change Risk Assessment is required to be produced every five years under the Climate Change Act 2008, in order to look at the risks and opportunities arising for the UK from climate change. The 2017 series of reports, alongside other documents from the European Commission and National House Building Council Foundation are used in this chapter to assess potential vulnerabilities and adaptive potential of the Proposed Development and site regarding climate change impacts. In June 2021, the Committee on Climate Change published an Independent Assessment of UK Climate Risk which offers advice to Government and will inform the next UK Climate Change Risk Assessment (known as CCRA3). The risks identified in this independent assessment have also been considered in this assessment. The third UK Climate Change Risk Assessment (CCRA3) is expected to be published in 2022.

#### Town & Country Planning EIA Regulations 2017

1.1.3 On the 16th May 2017, the European Commission Environmental Impact Assessment Directive (2014/52/EU) was incorporated into English law under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. This legislation requires the consideration of climate change within an EIA. The key text in relation to climate change is provided below.



Schedule 3: Regulation 5(4)

1(f): "The characteristics of development must be considered with particular regard to the risk of major accidents and/or disasters relevant to the development concerned, including those caused by climate change, in accordance with scientific knowledge."

Schedule 4: Regulation 18(3) Information for Inclusion in Environmental Statements:

"A description of the likely significant effects of the development on the environment resulting from, inter alia:" ...

4: "A description of the factors specified in regulation 4(2) likely to be significantly affected by the development...climate (for example greenhouse gas emissions, impacts relevant to adaptation)"

5(f): "the impact of the project on climate (for example the nature and magnitude of greenhouse gas emissions) and the vulnerability of the proposed development to climate change"

## **Building Regulations**

- 1.1.4 Parts of the subsequent discussion relate to energy use in buildings due to the direct relation with greenhouse gas emissions. Part L of The Building Regulations sets fabric energy efficiency standards, energy efficiency requirements and CO2 emissions limits for dwellings and non-residential buildings. Approved document 'L1A and L2A 2013 edition incorporation 2016 amendments' provide details on the assessment criteria and methodologies used to test whether buildings are compliant.
- 1.1.5 Aside from any local planning policy requirements it must be demonstrated that a building is compliant with the building regulations to be approved by building control. These regulations are the government's key mechanism for reducing CO2 emissions in buildings. Building Regulations require new developments to incorporate carbon saving through design and construction methods.
- 1.1.6 Calculations are undertaken using a prescribed methodology the Standard Assessment Procedure (SAP). A Target Emissions Rate (TER) is calculated, which represents the minimum standard for a building of that size. A Dwelling Emissions Rate (DER) is then calculated which is an estimation of likely emissions for the development in question. The DER must not exceed the TER for a building to be compliant.
- 1.1.7 Whilst these assessments are typically undertaken post planning when specification and information regarding mechanical and electrical systems have been produced, the



regulations are significant to this assessment because it legally binds new buildings to be constructed to a minimum standard, which can be utilised as a baseline.

### Future Homes Standard and Future Buildings Standard

- 1.1.8 In October 2019 consultation began on the Future Homes Standard (FHS) which outlines proposed improvements to Part L (conservation of fuel and power) and Part F (ventilation) of The Building Regulations applicable to new residential dwellings. The proposed changes include stricter energy efficiency, carbon emissions standards as well as the introduction of measuring a dwelling's 'primary energy use'.
- 1.1.9 On 19 January 2021, the Government published its response to the FHS consultation, at the same time as publishing a new consultation on 'Future Building Standards' (FBS). The FBS is a similar concept to the FHS, aimed at provoking decarbonisation in new non-residential and existing residential buildings. As part of the FBS, the Government is consulting on a preferred 27% reduction in carbon emissions relative to Part L 2013 levels for non-residential buildings for the interim period, to facilitate the eventual realisation of zero-carbon buildings.
- 1.1.10 The FHS consultation response set out a clear timeline for the introduction of the FHS and the interim arrangements. It is intended (subject to the FBS consultation) that a new Part L 2021 (and Part F 2021) will be introduced towards the end of 2021 and come into effect during 2022. This will formally instigate the interim arrangements for both residential and non-residential developments. Buildings approved prior to June 2022 and commenced prior to June 2023 will remain eligible to be built out under Part L 2013, but this will only apply to individual units not a site in its entirety.
- 1.1.11 The consultation response also confirmed the Government's intention that Part L 2021 will apply the 31% emission reduction interim uplift target over Part L 2013 for residential development, moving to a more stringent 80% emissions reduction target by 2025.

# Electric Vehicle Infrastructure

1.1.12 In 2019, the UK Government began consultation on adding a part to the English Building Regulations relating to requirements for electric vehicle (EV) charging infrastructure in new buildings and buildings undergoing material change of use and major renovation .The policy position relevant to the proposed development, if adopted, would require every new non-residential and every non-residential building



charge point and cable routes for an electric vehicle charge point for one in five spaces. In addition, the government proposes a requirement of at least one charge-point in existing non-residential buildings with more than twenty car parking spaces, applicable from 2025. The proposed specifications are set out in the 'Annex C - Draft technical guidance for Building Regulations requirements for EV charging' document issued in 2019.

1.1.13 The Proposed Development will need to consider the FBS reduction requirements as well as provision for EV charging infrastructure within the boundaries of the Site to ensure compliance with the proposed changes to the Building Regulations as outlined above.

#### National Planning Policy Framework (NPPF) (2019)

1.1.14 The policies within the NPPF relevant to climate change can be found in Chapter 14 'Meeting the challenge of climate change, flooding and coastal change'. Those most specific to this assessment are detailed below:

Paragraph 148: "The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure."

Paragraph 149: "Plans should take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating from rising temperatures. Policies should support appropriate measures to ensure the future resilience of communities and infrastructure to climate change impacts, such as providing space for physical protection measures, or making provision for the possible future relocation of vulnerable development and infrastructure."

Paragraph 150: "New development should be planned for in ways that: a) avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure; and b) can help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local



requirements for the sustainability of buildings should reflect the Government's policy for national technical standards."

Paragraph 151: "To help increase the use and supply of renewable and low carbon energy and heat, plans should: 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); b) consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure their development; and c) identify opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems and for colocating potential heat customers and suppliers."

Paragraph 153: "In determining planning applications, local planning authorities should expect new development to: a) comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and b) take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption."

Paragraph 157: "All plans should apply a sequential, risk-based approach to the location of development – taking into account the current and future impacts of climate change – so as to avoid, where possible, flood risk to people and property. They should do this, and manage any residual risk, by: a) applying the sequential test and then, if necessary, the exception test as set out below; b) safeguarding land from development that is required, or likely to be required, for current or future flood management; c) using opportunities provided by new development to reduce the causes and impacts of flooding (where appropriate through the use of natural flood management techniques); and d) where climate change is expected to increase flood risk so that some existing development may not be sustainable in the long-term, seeking opportunities to relocate development, including housing, to more sustainable locations."

### **Local Policies**

### Adopted Development Plan

1.1.15 The Site for the Proposed Development is located within the administrative area of Sunderland City Council. The relevant parts of the adopted development plan are the



Sunderland Core Strategy and Development Plan (CSDP) and the IAMP Area Action Plan (AAP).

## Sunderland Core Strategy and Development Plan 2015-2033 (Adopted January 2020)

- 1.1.16 The Core Strategy and Development Plan (2015-2033) sets out the long-term plan for development across the city. It was adopted in January 2020. Policy within the CSDP relating to climate change and emission reductions include the following:
  - BH1: Design Quality
  - BH2: Sustainable Design and Construction
  - BH3: Public Realm
  - NE1: Green and Blue Infrastructure
  - NE2: Biodiversity and Geodiversity
  - NE3: Woodlands / Hedgerows and Trees
  - WWE1: Decentralised, Renewable and Low Carbon Energy
  - WWE2: Flood Risk and Coastal Management and
  - WWE3: Water Management.

# IAMP Area Action Plan 2017-2032 (Adopted 2017)

- 1.1.17 Sunderland City Council and South Tyneside Council have jointly prepared an Area Action Plan (AAP) which sets out the statutory planning policy framework and development principles for the development of the International Advanced Manufacturing Park (IAMP).
  - Policy D1: Masterplan Design.
  - Policy D2: Public Realm.
  - Policy T1: Highway Infrastructure.
  - Policy T4: Parking.
  - Policy IN1: Infrastructure Provision.
  - Policy IN2: Flood Risk and Drainage.
  - Policy EN1: Landscape.
  - Policy EN2: Ecology.
  - Policy EN3: Green Infrastructure.



#### **Emerging Development Plan Documents**

### Draft Allocations and Designations Plan (ADP) (December 2020)

- 1.1.18 The ADP will form the final part of the Sunderland Local Plan (once adopted) and will cover the 2015 to 2033 plan period. It contains a range of allocations and designations covering housing, retail, heritage, the natural environment, transport, wind energy and minerals. According to the Local Development Scheme (June 2020), the ADP is due to be adopted in 2022.
- 1.1.19 Sunderland City Council are committed to supporting a move towards a low carbon future, recognising the importance of renewable energy supply in helping the city reduce its carbon emissions and the threat of climate change. Sunderland City Council seek to encourage multi modal sustainable transport use in Sunderland to contribute to lowering carbon emissions. Policy ST5 supports an opportunity to provide a Park and Ride interchange to serve IAMP, Nissan, the proposed strategic site to the east of Washington and existing Washington residents and businesses.

#### **Development Management SPD**

1.1.20 The Draft Development Management (DM) SPD was issued in December 2020, setting out additional planning guidance that will aid the preparation and determination of planning applications.

### City of Sunderland Low Carbon Framework and Action Plan (Adopted December 2020)

- 1.1.21 Sunderland City Council declared a Climate Emergency in March 2019. Partners across the city signed up to a Sunderland Low Carbon Framework in December 2020. This sets out ways to reduce emissions and aims to make the city carbon neutral by 2040.
- 1.1.22 The Sunderland Low Carbon Framework is supplemented by individual Action Plans developed and delivered by partners across the city. The city council's Sunderland Low Carbon Action Plan includes the council's ambitious target to be carbon neutral by 2030.

### Washington Meadows SPD Scoping Report

1.1.23 Sunderland City Council are producing a Supplementary Planning Document (SPD) to guide the development of Land East of Washington (Washington Meadows). The scoping report acts as an opening consultation paper to discuss the relevant issues, themes and potential format. It forms the initial stage of the process towards developing the SPD. The Washington Meadows SPD will expand upon Draft A&D Policy



SS9 and provide further guidance on the comprehensive development of Land East of Washington.

### Local Wildlife Sites Report

1.1.24 Locally designated 'Local Wildlife Sites' are areas of substantive nature conservation value. They can provide a wide range of ecological benefits as well as helping with climate mitigation and tackling air pollution. There are currently 63 designated Local Wildlife Sites in Sunderland. To support the preparation of the Draft Allocations and Designations Plan, Sunderland City Council has undertaken a comprehensive review of Local Wildlife Sites within Sunderland. The Local Wildlife Sites Report sets out the proposed changes to existing Local Wildlife Site boundaries and proposed new Local Wildlife Sites in the Sunderland City Council administrative area. These should be considered by the Proposed Development.