

Prepared by: Kirsten Elder and
Senior Consultant

Georgia Arnott
Principal Consultant

Approved by: Robert Shaw.....
Associate Director

Review of National, Regional and Local Planning Documents

Rev No	Comments	Date
1	Policy Review – Stage 1 Report	04/06/08
2	Policy Review – Final Draft	30/06/08
3	Policy Review – Revised Final Draft	07/07/08
4	Policy Review – Revised Final Draft	22/08/08
5	Policy Review – Revised Draft in line with WNDC Sustainability Manual Revised Fee Proposal 26/08/09	11/09/09
6	Policy Review – Final	05/10/09
7	Policy Review – Final Proof Read and Sign Off	06/04/10

As of 4th May 2009, Faber Maunsell Limited has changed its name to AECOM Limited and has rebranded as AECOM, as part of our parent company's strategy to integrate across business lines and regions globally.

Though our name is changing, our commitment to our clients and their projects remains the same. Our people working with you will continue to work with you. Our goal remains to continue providing clients with high-quality, responsive service and to make this organisational change transparent to you as we move forward.

Some material contained within this document may refer to our previous name Faber Maunsell but is also applicable to AECOM.

Marlborough House, Upper Marlborough Road, St Albans, Herts., AL1 3UT
Telephone: 0161 927 8200 Fax: 0161 927 8499 Website: <http://www.aecom.com>

Job No: 60045756

Reference: xxxxxxxxx

Date Created: 11th September 2009

This document has been prepared by AECOM Limited ("AECOM") for the sole use of our client (the "Client") and in accordance with generally accepted consultancy principles, the budget for fees and the terms of reference agreed between AECOM and the Client. Any information provided by third parties and referred to herein has not been checked or verified by AECOM, unless otherwise expressly stated in the document.

Table of Contents

Executive Summary	5
How to Use This Document.....	7
1 Introduction to Planning Policy & Guidance on Sustainable Development	8
1.1 Introduction	8
1.1.1 The hierarchy of planning policy and the Development Plan	8
1.1.2 Future change to planning policy.....	9
1.2 National.....	9
1.3 Regional.....	10
1.4 Local	11
1.5 Implementation of Local Plans and Policy Guidance	13
2 General Guidance on Sustainable Development	14
2.1 Introduction	14
2.2 National.....	14
2.3 Regional.....	17
2.4 Local	24
3 Climate Change and Energy	25
3.1 Introduction	25
3.2 National.....	25
3.3 Regional.....	34
3.4 Local	35
3.5 Summary.....	36
4 Water Supply and Conservation.....	38
4.1 Introduction	38
4.2 National.....	38
4.3 Regional.....	39
4.4 Local	40
4.5 Summary.....	41
5 Flood Risk and Sustainable Drainage.....	42
5.1 Introduction	42
5.2 National.....	42
5.3 Regional.....	42
5.4 Local	43
5.5 Summary.....	44
6 Sustainable Design and Construction	45
6.1 Introduction	45
6.2 National.....	45
6.3 Regional.....	46
6.4 Local	47
6.5 Summary.....	47
7 Sustainable Waste Management and Material Use.....	48
7.1 Introduction	48
7.2 National.....	48
7.3 Regional.....	50
7.4 Local	51
7.5 Summary.....	54
8 Pollution of Air, Water and Land	55
8.1 Introduction	55
8.2 National.....	55
8.3 Regional.....	56
8.4 Local	56

8.5	Summary.....	57
9	Biodiversity and Land Use.....	58
9.1	Introduction.....	58
9.2	National.....	58
9.3	Regional.....	60
9.4	Local.....	62
9.5	Summary.....	63
10	Transport.....	64
10.1	Introduction.....	64
10.2	National.....	64
10.3	Regional.....	65
10.4	Local.....	67
10.5	Summary.....	68
11	Community Investment.....	69
11.1	Introduction.....	69
11.2	National.....	69
11.3	Regional.....	71
11.4	Local.....	73
11.5	Summary.....	75
12	Conclusion.....	76
Appendix A: Quick Reference Guide.....		78

Executive Summary

The UK Government has said that “the past 20 years have seen a growing realisation that the current model of development is unsustainable. In other words, we are living beyond our means. Our way of life is placing an increasing burden on the planet”¹.

In terms of focusing national efforts on sustainable development, the UK has identified four priority areas for immediate action, shared across the UK. These are:

1. Sustainable consumption and production;
2. Climate change and energy;
3. Natural resource protection and environmental enhancement; and
4. Sustainable communities.

The action that is taken at a national level will directly impact upon how policy guidance is developed and implemented at a regional and local level. Using national guidance, regional planning bodies are developing strategic policies that encompass all elements of sustainable development; from reducing energy use to enhancing biodiversity to promoting good design, all whilst aiming to increase economic prosperity. Regional policy is fed down to a local level where evidence shows that sustainability is the key driver behind the development of Core Strategies and supporting planning documents, as part of the Local Development Framework process and broader Sustainable Communities Strategies.

This document forms Part 1 of the West Northamptonshire Development Corporation (WNDC) Sustainability Manual. The overarching Sustainability Manual aims to provide a guide for interested parties in the preparation of planning applications, the determination of planning applications and the development of the planning policy in the area. The documents making up the Sustainability Manual are listed below:

1. Sustainable Development Policy Review;
2. Technology Review;
3. Framework Document.

Part 1, the Sustainable Development Policy Review provided herein aims to provide an impartial review of relevant national, regional and local sustainability policy. The document is designed to be used as a background tool in the Development Control process and is targeted primarily at Development Control (DC) Officers, Applicants and Agents.

Each chapter refers to a specific topic on sustainability and highlights the documents that have been developed as the overarching planning guidance for that particular issue. The topics covered in this report include:

- Climate change and energy;
- Water supply and conservation;
- Flood risk and sustainable drainage;
- Sustainable design and construction;
- Sustainable waste management;
- Pollution of air, water and land;
- Biodiversity and land use;
- Transport; and
- Community investment.

¹ <http://www.defra.gov.uk/sustainable/government/what/index.htm>

The topic areas are broadly based on issues covered by BREEAM and Code for Sustainable Homes assessment categories. An additional heading of Community Investment has been included to encompass the key community aspects of sustainability.

To gain a better understanding of the sustainability issues that this report refers to and the technologies and approaches that apply, readers should consult Part 2 of the Manual prepared by AECOM for WNDC (“Technology Review”).

This document is considered up to date at the time of writing. However, sustainability is a fast moving field, with evidence evolving and new policy being developed at a very fast pace. It is important to ensure that users of this document make themselves aware of any new or emerging policy and planning documents that are published which may supersede the content of this report.

How to Use This Document

This document forms Part 1 of the West Northamptonshire Development Corporation (WNDC) Sustainability Manual. The overarching Sustainability Manual aims to provide a guide for interested parties in the preparation of planning applications, the determination of planning applications and the development of the planning policy in the area. The documents making up the Sustainability Manual are listed below:

1. Sustainable Development Policy Review;
2. Technology Review;
3. Framework Document.

Part 1, the Sustainable Development Policy Review provided herein aims to provide an impartial review of relevant national, regional and local sustainability policy. The document is designed to be used as a background tool in the Development Control process and is targeted primarily at Development Control (DC) Officers, Applicants and Agents. This document is considered up to date at the time of writing but should be considered a “live” document, which is updated frequently to ensure it remains consistent with this rapidly evolving policy area.

West Northamptonshire Development Corporation (WNDC) was established with the objective of securing regeneration and development within its Urban Development Area. This involves working across three urban areas (Northampton, Daventry and Towcester) of different sizes and with varying development and regeneration requirements to help manage, encourage and stimulate growth. WNDC is not a policy making body; however, they are supporting the regeneration process and have been given statutory responsibility for the regeneration of the area through powers granted by Parliament and access to dedicated funding streams. These powers include responsibility for making decisions on strategic planning applications in Northampton, Daventry and Towcester.

The aim of this report is to support case officers in making robust decisions when determining planning applications. The report sets out existing planning policy relating to sustainable development in the areas covered by WNDC. West Northamptonshire relates to the area that is covered by Northampton Borough and Daventry District and South Northamptonshire Councils. The Regional Plan developed by the Government Office for the East Midlands has been reviewed alongside the West Northamptonshire Emergent Joint Core Strategy (July 2009) and the Saved Policies of the Local Plans of the respective Local Authorities.

Each chapter starts at the national level and moves through the regional level down to local level policies. National policies and guidance provide useful context and in some cases, such as Planning Policy Statements, can themselves be a material consideration in a planning decision.

The report is divided into sections, beginning with general guidance on sustainable development. It then has individual sections on climate change and energy (section 4), water supply and conservation (section 5), flood risk and sustainable drainage (section 6), sustainable design and construction (section 7), sustainable waste management (section 8), pollution of air, water and land (section 9), biodiversity and land use (section 10), transport (section 11) and community investment (section 12). The topic areas are broadly based on issues covered by BREEAM and Code for Sustainable Homes assessment categories. An additional heading of Community Investment has been included to encompass the key community aspects of sustainability. The policy under these headings has been reviewed in the context of sustainability, not as disciplines in their own right.

Policies at each level are reproduced in full but for easy reference a quick guide is set out in Appendix A.

1 Introduction to Planning Policy & Guidance on Sustainable Development

1.1 Introduction

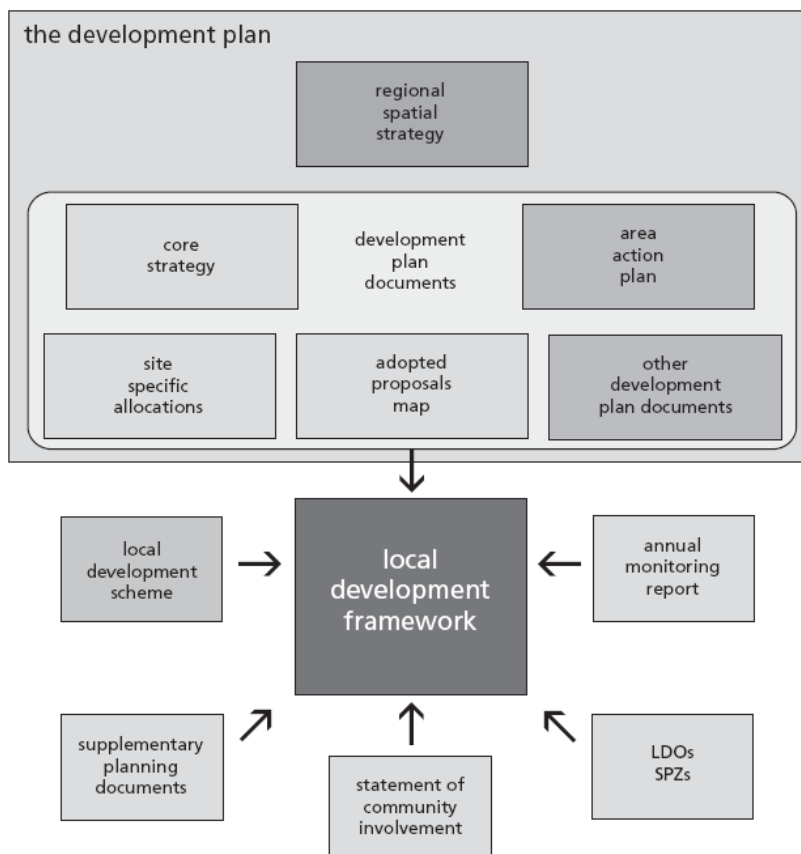
This chapter provides an introduction to planning policy and guidance on sustainable development. Specifically, it provides some useful background to the rest of the document and sets out the different types of relevant policy documents at national, regional and local levels.

1.1.1 *The hierarchy of planning policy and the Development Plan*

The development of land is regulated by the Town and Country Planning Act, 1990, as amended by the Planning and Compensation Act, 1991 and updated by the Planning and Compulsory Purchase Act, 2004 and the Planning Act, 2008. These together form 'The Planning Acts'. The Acts are supported by detailed information on specific issues in a range of Planning Policy Statements (PPS) and earlier Planning Policy Guidance (PPG). Individual aspects of planning law are explained in Government Circulars or are subject to specific Rules and Orders.

The PPS detail policy at the national level and inform policy at the regional (through Regional Spatial Strategies (RSS) and local level (Local Development Framework, LDF). The 2004 Planning and Compulsory Purchase Act introduced RSS and LDF which together form the Development Plan and replaced the old system of local plans and structure plans. The Development Plan forms the policy basis for local planning decisions.

The relationship between these documents and a summary of the documents which make up the Development Plan is illustrated below and described in more detail in the sections that follow:



Section 38(6) of the Planning and Compensation Act 2004 requires that planning decisions should be in accordance with the development plan. It states:

'If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.'

The development plan for WNDC currently comprises the East Midlands Regional Plan, saved Structure Plan policies and saved Local Plan policies for each of the respective WNDC areas.

1.1.2 Future change to planning policy

It should be noted whilst reading this document that changes are being made to the structure of planning and to national and regional planning policy documents. Regional planning powers are transferring from Regional Assemblies (which will be disbanded) to Regional Development Agencies (RDA). Regional Spatial Strategies (RSS) are to be replaced by an Integrated Regional Strategy (IRS), prepared by the RDA and will combine the RSS and the Regional Economic Strategy. The IRS will be the joint responsibility of RDAs and a Local Authority Leaders Board and, like the RSS, will be part of the statutory development plan². This is a process that has begun, but with different regions working to different timetables.

In addition, there is uncertainty about what will happen to regional planning should there be a change of government in 2010. However, it is not possible to make any reliable assumptions at this time.

1.2 National

The key policy in terms of planning in the UK as a whole, as well as to WNDC and sustainability, is set out in PSS1: Delivering Sustainable Development (January 2005) and its supplement in Planning and Climate Change (December 2007). These set climate change and sustainability at the heart of the planning system, stating that all development plans need to address the principles of sustainability. This document is discussed further in Chapter 3; however, it is useful to note that policy in PPS can be used as a material consideration in determining planning applications, particularly where no up to date development plan is in place.

A summary of relevant adopted Planning Policy Statements (PPS), and extant Planning Policy Guidance (PPG) notes which are referred to in this study are listed below and the relevant chapter is signposted:

National Policy	Chapter
PPS 1: Delivering Sustainable Development	Chapter 2: General Guidance on Sustainable Development
PPS 7: Sustainable Development in Rural Areas	Chapter 2: General Guidance on Sustainable Development
PPS3: Housing	Chapter 9: Biodiversity and Land Use Chapter 11: Community Investment
PPS9: Biodiversity and Geological Conservation	Chapter 9: Biodiversity and Land Use
PPS10: Planning for Sustainable Waste Management	Chapter 7: Sustainable Waste Management and Material Use
PPS22: Renewable Energy	Chapter 3: Energy and Climate Change
PPS23: Planning and Pollution Control	Chapter 8: Pollution of Air, Water and Land
PPG2: Green Belts	Chapter 9: Biodiversity and Land Use
PPG13: Transport	Chapter 10: Transport Chapter 11: Community Investment
PPG17: Planning for Open Space, Sport and Recreation	Chapter 11: Community Investment
PPG 25: Development and Flood Risk	Chapter 5: Flood Risk and Sustainable Drainage

² <http://www.communities.gov.uk/publications/citiesandregions/ldedcregionalstrategies>.

1.3 Regional

The action that is taken at national level will directly impact on the policies that are made at regional and local level. Using policy and guidance at a national level in the form of PPS (listed throughout this report), regional planning bodies are developing strategic policies in RSS and the emerging Integrated Regional Strategies (IRS) that encompass all elements of sustainable development from reducing energy use to enhancing biodiversity to promoting good design, whilst aiming to increase economic prosperity. As part of the Development Plan, strategic policies in RSS and RS inform policy-making in Development Plan Documents.

A range of organisations play a part in this, including the Regional Assembly and Regional Development Agency. Others have been set up specifically to address sustainable development and elements of it, including: Institute for Sustainable Development in Business; and the BEST Network. The policies and plans prepared by regional organisations should be reflected in the region's development plans and can to some extent, therefore, be taken into consideration by WNDC when assessing planning applications for strategic development.

Government planning policy on sustainable development in PPS1 states that:

“Development plans should ensure that sustainable development is pursued in an integrated manner, in line with the principles for sustainable development set out in the UK [sustainable development] strategy.”

Policy on plan-making at the regional level is set out in PPS11 (Regional Spatial Strategies, 2004) and more specifically on sustainable development in other PPS. For example, the supplement to PPS1 on climate change says that RSS should:

- Consider how the region's activities contribute to climate change;
- Consider how the spatial strategy will support any regional targets on climate change developed through the region's economic strategy and sustainable development framework;
- Consider the region's vulnerability to climate change using, for example, the most recent climate change scenarios available from the UK Climate Change Impacts Programme (UKCIP)³ and specifically the implications for built development, infrastructure and services and biodiversity;
- Work with neighbouring regions and counties to address joint concerns; and
- Encourage working across local authority boundaries so as to secure effective local approaches.

Although WNDC is not a plan-making authority this policy review is important since the PPS 1 supplement can itself be a material consideration in determining planning applications.

Regional and Sub-Regional planning policy on sustainable development can be found in the East Midlands Regional Plan (EMRP) (March 2009), which replaces the old RSS8, adopted March 2005. It also replaces the Milton Keynes and South Midlands Sub-Regional Strategy (MKSM SRS, 2005) with the exception of Part A which remains extant. The EMRP is the most up to date policy in respect of the sustainability agenda for the area.

The Regional Plan primarily supports the spatial theme of the new style and forthcoming Integrated Regional Strategy (IRS), which also comprises the Regional Transport Strategy and Regional Environmental Strategy. The RSS forms the strategic element of the overall development plan, together with the Local Development Framework. Policies contained within the Development Plan are used by WNDC to determine applications. The same will be true under the new regional arrangements.

The various regional strategies have placed sustainable development as their top priority and have set targets for biodiversity, waste, renewable energy and energy efficiency and

³ UKCIP is a government funded body and works with the public, private and voluntary sectors to assess the impacts of changing climate. It produces the UK's climate change scenarios.

approaches to managing flood risk. This report focuses primarily on the policies in RSS8 as it represents the development strategy for the region and the spatial elements for which this project is concerned.

Northamptonshire Partnership produced a county sustainable community strategy titled: "*Northamptonshire "The best place in England to grow"*" (2008). Each local authority in Northamptonshire has a duty to produce a SCS, to reflect the different priorities for each area. The Northamptonshire SCS sets out a vision that the county will:

- Thrive through sustainable growth and regeneration;
- Flourish through having a dynamic, better skilled economy;
- Have safe and strong communities; and
- Have healthy people who enjoy a good quality of life.

1.4 Local

Planning, together with its strategic partners in the public, private and voluntary sectors, should co-ordinate action locally on sustainable development. The Local Government White Paper (Strong and Prosperous Communities, 2006) sets out important policy changes that enable local government to become leaders in sustainable development. For example, in relation to climate change but equally applicable to other aspects of sustainable development:

- Since climate change is a cross-cutting issue in policy terms, the Local Strategic Partnership (LSP) is likely to be an important vehicle. LSP bring together the public, voluntary and private sectors to co-ordinate the contribution that each can make to improve local areas. Underpinning and supporting LSP are various thematic partnerships responsible for tackling specific agendas, including adaptation to climate change. Tools such as the Nottingham Declaration on Climate Change, a high-level statement of commitment, can help provide the political support and measurable targets needed to take broader action at the local level.
- LSP have responsibility for drawing up a Sustainable Community Strategy (SCS), which provides the overarching framework for delivering climate change adaptation and mitigation. LAA or Multi Area Agreements between more than one LSP provide a mechanism for linking the objectives set out in the SCS to delivery.
- LSP, SCS, LAA, local public service agreements and powers such as Wellbeing and Prudential Borrowing, therefore, offer local authorities new opportunities to set and achieve a vision for their areas, with their partners. They allow different agencies to pool budgets in pursuit of common aims and challenging targets. These local partnerships should be seen as a key vehicle for climate change.

Whilst sustainable community strategies do inform planning policy, they do not have a specific role in terms of development control and therefore have not been reviewed in detail for this study. As detailed above, Northamptonshire Partnership have produced the Northamptonshire SCS. Each local authority in Northamptonshire has a duty to produce a SCS, to reflect the different priorities for each area. A summary of the stage each local authority within the study area is currently at in producing their SCS is outlined below:

- Daventry District Council – Daventry's SCS was adopted in March 2006 and covers the period 2006 – 2009. It is available to download from the following website: <http://www.daventrydc.gov.uk/strategy-and-policy/?assetdet=8964&p=4>. Daventry have already begun consultation on the SCS for the next period.
- Northampton Borough Council – The Northampton SCS was adopted in 2008 and covers the period 2008 – 2011. It is available to download from the following website: http://www.northampton.gov.uk/downloads/Item8Appendix1sustainablecommunitystrategy2008_1_.pdf

- South Northamptonshire Council – South Northamptonshire currently have a Community Strategy, which is available for download from the following website: http://www.southnorthants.gov.uk/community_living/252.htm. South Northamptonshire is now in the process of developing their Sustainable Community Strategy with consultation documents expected towards the end of the year.

The spatial elements of the SCS need to be delivered through spatial planning. LDF in England should provide the spatial expression of each SCS; therefore the Development Plan Documents (DPD) that form part of the LDF should point to practical actions, which can be addressed through planning. All plans that form part of an LDF should be climate-proofed using Sustainability Appraisal.

The following Local Development Documents (LDD) are likely to be relevant to planning for sustainable development:

- The Core Strategy sets out the key elements of the local planning framework. Policies should support RSS policies and targets by requiring local action on sustainable development. PPS12 (2008) indicates that Site Specific Allocations may be included within the Core Strategy. These could set out sites for flood storage or low and zero carbon energy generation, for instance.
- Area Action Plans (AAP) can help identify energy demands, community needs, public spaces or properties that are at risk from flooding or other hazards such as over-heating. AAP can also complement Core Strategies, where significant change is proposed, by providing policies relating specifically to the proposed developments.
- Supplementary Planning Documents (SPD) can provide more detailed guidance on delivering policy. These must be related to specific policies in DPD.
- Legally, the attachment of planning conditions and obligations is an effective way of controlling local development (e.g. by requiring Sustainable Drainage Systems – SUDS – to manage pollution and flood risk). Planning obligations, sometimes called ‘Section 106 agreements’ or planning gain, can act as a key instrument for enabling developers to contribute to climate proofing by requiring them to minimise future impacts and to carry out works which will provide community benefits. The Planning Act 2008 will enable local authorities from April 2010 to charge a Community Infrastructure Levy (CIL). The CIL could be used to fund adaptations to public spaces, such as green infrastructure, or energy technologies and infrastructure.

Within West Northamptonshire the three local authorities have come together to form the Joint Planning Unit (JPU), which is jointly preparing a Core Strategy for Northampton, Daventry and South Northamptonshire. The West Northamptonshire Emergent Joint Core Strategy was published for consultation 31 July 2009 (with consultation closing 11th September 2009). The JPU Revised Local Development Scheme (October 2008)⁴ details that the programme for the adoption of the JCS is as follows:

- Pre-submission document – November 2009;
- Submission – March 2010; and
- Adoption – January 2011.

The role of the JCS is to set out the spatial vision, objectives and policies for the whole of the West Northamptonshire sub-region. The JCS is the priority document in the Local Development Scheme and will provide the context for all other LDF documents, which the Councils will prepare separately or together. All subsequent documents must reflect the objectives and policies defined by the JCS. It is therefore important that WNDP remains aware of its development and finalisation and gives particular regard to the objectives and policies that will set the planning agenda in terms of sustainable development for the region.

⁴ www.westnorthamptonshirejpu.org/Documents/tabid/57/Default.aspx?grm2cati...

As part of the LDF preparation process some policies of the existing Local Plans have been 'saved' and therefore remain relevant until they are replaced by the Joint Core Strategy. This report has identified those policies which apply to sustainable development.

1.5 Implementation of Local Plans and Policy Guidance

Effective implementation of a local strategy or plan is vital to its overall success and a key part of the monitoring and review process. It is therefore important that an LPA takes the necessary action to apply appropriate implementation mechanisms to ensure this success.

Effective implementation will mean ensuring that new development provides for necessary physical and social infrastructure, as well as other supporting facilities. These could include the provision of reasonable levels of public open space, affordable housing, lifetime homes, education and community facilities as well as physical requirements such as transport and utilities such as gas, water and electricity. It also means securing the protection of key resources in line with a plan's policies, such as important buildings and townscape or nature conservation interests. Planning conditions would usually be applied in these circumstances.

A further consideration will be delivery of very low and zero carbon heat and power to meet the requirements of the definition of zero carbon and the PPS1 supplement on planning and climate change. Achieving this may require new and innovative delivery mechanisms to be used, such as Energy Service Companies (ESCo) or community owned energy companies. Links with non-planning stakeholders will be crucial.

The main mechanism is through a direct role, such as preparing SPD to support plan policies. However, other mechanisms identified include:

1. Applying planning conditions: conditions can enhance the quality of development and enable many development proposals to proceed where it would otherwise have been necessary to refuse planning permission.
2. Entering into Section 106 Agreements: Section 106 (S106) of the Town and Country Planning Act 1990 allows a local planning authority (LPA) to enter into a legally-binding agreement or planning obligation with a landowner in association with the granting of planning permission.
3. Community Infrastructure Levy: the Levy will empower local authorities to levy a charge on new development when it is introduced in April 2010. Developer contributions can be pooled to fund community energy infrastructure.
4. Entering into joint development schemes: Local authorities and other public bodies are able to enter into joint ventures with the private sector to develop or regenerate areas.
5. Assisting with site assembly: local authorities and other public bodies can assemble land to enable development or regeneration where complex land ownership arrangements exist or where key sites would otherwise not come forward.
6. Using Compulsory Purchase powers: local authorities and other public bodies can use these powers to bring together the land needed to help deliver change.
7. Making Article 4 Directions: this removes permitted development rights on a local basis, thereby necessitating a planning application to be made for any development.
8. Non-planning mechanisms, including using local authority powers of Wellbeing to set up ESCo and external funding.

2 General Guidance on Sustainable Development

2.1 Introduction

This chapter highlights the documents that set out the overarching legislative and policy context for planning for sustainable development, which can then directly influence how specific policy documents relating to sustainability are prepared. It should be noted that this chapter covers policies that relate to sustainability as a discipline in itself, as opposed to the individual elements that make up sustainability such as water and materials, which are covered in the relevant chapters 4 to 12.

2.2 National

❖ Planning Policy Statement 1: Delivering Sustainable Development, January 2005⁵

The PPS sets out three objectives for the planning system: sustainable development; spatial planning; and community engagement. In preparing development plans, planning authorities should seek to:

- *“Bring forward sufficient land of a suitable quality in appropriate locations to meet the expected needs for housing.....”*
- *Provide improved access for all to jobs, health, education, shops, leisure and community facilities, open space, sport and recreation, by ensuring that new development is located where everyone can access services or facilities on foot, bicycle or public transport rather than having to rely on access by car.....”*
- *Reduce the need to travel and encourage accessible public transport provision to secure more sustainable patterns of transport development. Planning should actively manage patterns of urban growth to make the fullest use of public transport and focus development in existing centres and near to major public transport interchanges.....”*
- *Promote the more efficient use of land through higher density, mixed use development and the use of suitably located previously developed land and buildings.....”*

In addition PPS1 leads on design policy and states “Key objectives should include ensuring that developments:

- *Are sustainable, durable and adaptable (including taking account of natural hazards such as flooding) and make efficient and prudent use of resources;*
- *Optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks;*
- *Respond to their local context and create or reinforce local distinctiveness;*
- *Create safe and accessible environments where crime and disorder or fear of crime does not undermine quality of life or community cohesion;*
- *Address the needs of all in society and are accessible, usable and easy to understand by them; and*
- *Are visually attractive as a result of good architecture and appropriate landscaping.”*

In December 2007 a supplement to PPS1 was published, which adds climate change as a fourth objective of the planning system and sets out how planners should address it in

⁵ PPS1 <http://www.communities.gov.uk/documents/planningandbuilding/pdf/147393>

development plans and decision-making. In July 2009 a further supplement to PPS1 was published on Eco-towns. The two supplements to PPS 1 are summarised below:

- The PPS1 Supplement on Planning and Climate Change (2007) sets out how planning should contribute to reducing emissions and stabilising climate change and take into account the unavoidable consequences. Importantly for this study this document sets out guidance on determining planning applications.

Paragraph 42 of the PPS1 Supplement states that *“In their consideration of the environmental performance of proposed development, taking particular account of the climate the development is likely to experience over its expected lifetime, planning authorities should expect new development to:*

- *comply with adopted DPD policies on local requirements for decentralised energy supply and for sustainable buildings, 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;*
- *take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption, including maximising cooling and avoiding solar gain in the summer; and, overall, be planned so as to minimise carbon dioxide emissions through giving careful consideration to how all aspects of development form, together with the proposed density and mix of development, support opportunities for decentralised and renewable or low-carbon energy supply;*
- *deliver a high quality local environment;*
- *provide public and private open space as appropriate so that it offers accessible choice of shade and shelter, recognising the opportunities for flood storage, wildlife and people provided by multifunctional greenspaces;*
- *give priority to the use of sustainable drainage systems paying attention to the potential contribution to be gained to water harvesting from impermeable surfaces and encourage layouts that accommodate waste water recycling;*
- *provide for sustainable waste management; and*
- *create and secure opportunities for sustainable transport in line with PPG13 including through:*
 - *the preparation and submission of travel plans;*
 - *providing for safe and attractive walking and cycling opportunities including, where appropriate, secure cycle parking and changing facilities; and*
 - *an appropriate approach to the provision and management of car parking”...*

- The Eco-towns Supplement to PPS1 1 (2009) sets out a range of minimum standards which aim to ensure that Eco-towns are exemplars of good practice and provide a showcase for sustainable living and allow Government, business and communities to work together to develop greener, low carbon living. As the study area of WNDP does not include an Eco-town this document has not been reviewed in detail. However, this PPS could be a useful reference document if a planning application is trying to achieve best practice sustainability standards⁶.

❖ Planning Policy Statement 7: Sustainable Development in Rural Areas, August 2004⁷;

PPS7 sets out the Government's planning policies for rural areas, including country towns and villages and the wider, largely undeveloped countryside up to the fringes of larger urban areas. This replaces PPG7: The Countryside - Environmental Quality and Economic and Social Development published in February 1997.

⁶ Eco-towns Supplement to PPS1 <http://www.communities.gov.uk/publications/planningandbuilding/pps-ecotowns>

⁷ PPS7 <http://www.communities.gov.uk/documents/planningandbuilding/pdf/147402.pdf>

- ❖ Securing the Future – Delivering UK Sustainable Development Strategy, March 2005⁸;
‘Securing the Future’, the UK Government Sustainable Development Strategy, was launched by the Department for Environment, Food and Rural Affairs (Defra) in March 2005. The Strategy updated ‘A Better Quality of Life: A Strategy for Sustainable Development for the UK’ published in 1999. ‘Securing the Future’ sets the national agenda on sustainable development, based around the international context. The document places greater emphasis on delivery at regional level and the relationship between government and local authorities and states: *“Local authorities and their partners are pivotal to delivering sustainable communities”*.

The new national strategy is based around five principles:

- Living within environmental limits;
- Ensuring a strong, healthy and just society;
- Achieving a sustainable economy;
- Promoting good governance;
- Using sound science responsibly;

and contains four agreed priorities:

- Sustainable consumption and production;
- Climate change;
- Natural resource protection;
- Sustainable communities.

It also includes a new indicator set which is more outcome focused.

- ❖ Planning for a Sustainable Future – White Paper, May 2007⁹

The Planning White Paper sets out the government’s detailed proposals for further reform of the planning system, building on from the recommendations of the Barker Review (December 2006)¹⁰ for improving the speed, responsiveness and efficiency in Land Use Planning. It also takes forward the Barker Review’s and the Eddington Transport Study’s proposals for the restructuring of major infrastructure planning. The White Paper proposes reforms to how decisions are made on nationally significant infrastructure projects - including energy, waste, waste-water and transport. It also proposes further reforms to the town and country planning system, to make it a more efficient and more responsive process. Some of the proposals in the White Paper were taken forward in the Planning Act 2008, including the Community Infrastructure Levy.

- ❖ The Sustainable Communities Plan, February 2003¹¹

The Plan sets out a long-term programme of action for delivering sustainable communities in both urban and rural areas. It aims to tackle housing supply issues and the quality of public spaces by establishing four south east Growth Areas (of which Milton Keynes and South Midlands is one) supported by housing market renewal Pathfinder areas for areas of northern England and the Midlands where housing markets have collapsed. The objective is to increase supply by 200,000 homes above planned levels and is supported by an increase in resources and reforms to housing and planning. The programme of action aims to *“focus the attention and co-ordinate the efforts of all levels of government and stakeholders in bringing about development that meets the economic, social and environmental needs of future generations as well as succeeding now”*.

⁸ Securing the future http://www.sustainable-development.gov.uk/publications/pdf/strategy/SecFut_complete.pdf

⁹ Planning for a Sustainable Future

<http://www.communities.gov.uk/documents/planningandbuilding/pdf/planningsustainablefuture.pdf>

¹⁰ Barker Review of Land Use Planning <http://www.communities.gov.uk/documents/planningandbuilding/pdf/154265.pdf>

¹¹ Sustainable Communities Plan

<http://www.communities.gov.uk/publications/communities/sustainablecommunitiesbuilding>

Please refer to the East Midlands Regional Action Plan¹² for information specific to West Northamptonshire. This document is reviewed in section 3 below.

❖ Housing Green Paper, July 2007

Further to the Sustainable Communities Plan and in recognition of the growing levels of housing unaffordability in many regions, the Green Paper sets a national housing target of 240,000 homes per annum. In support of this the Green Paper extends the Growth Points initiative (for local authority led urban extensions) and launched the Eco-towns programme (for new towns).

❖ The Planning Acts

The following Planning Acts provide a spatial approach to planning and enables planning bodies to look beyond purely land-use issues. In addition they place a duty on planning bodies to exercise their functions with the objective of contributing to the achievement of sustainable development:

- Town and Country Planning Act 1990;
- Planning and Compensation Act 1991;
- Planning and Compulsory Purchase Act 2004; and
- The Planning Act 2008.

For a full list of all the UK Government publications on sustainable development refer to the following website: <http://www.sustainable-development.gov.uk/publications/index.htm>

The relevance of the Planning Acts to energy is set out within the Energy and Climate Change Chapter. Planning Policy Statements (PPS) and Guidance (PPG) have been included within the chapters of this report to which they are relevant. PPS1 below however, sets out the Government's general approach to delivering sustainable development, which it defines as the core principle underpinning planning.

2.3 Regional

The East Midlands Regional Plan was published in March 2009 and comprises the RSS for the East Midlands for the period up to 2026 under the provisions of the Planning and Compulsory Purchase Act 2004. It replaces the RSS8 issued by the Government in March 2005 except for paragraphs 1-70 of Section 6 comprising Part A of the Milton Keynes and South Midlands Sub-Regional Strategy (MKSM SRS) which remains extant. It also replaces all policies in adopted structure plans except for the Northamptonshire Structure Plan Policy SDA1 which remains extant.

The Regional Plan is divided into 4 Sections:

- Section 1: Core Strategy;
- Section 2: Spatial Strategy;
- Section 3: Topic Based Priorities; and
- Section 4: Sub-Regional Strategies.

It sets out three key policies which support both the Core and spatial strategies and provides a series of policies relating to 'topic based priorities' and 'regional priorities', which are described in detail within the relevant chapters of this report. Two of the three key policies are directly relevant to sustainability; these are set out below.

¹² East Midlands Regional Action Plan <http://www.communities.gov.uk/documents/communities/pdf/143603.pdf>

❖ RSS Policy 1: Regional Core Objectives

Policy 1 of the RSS sets out 11 core objectives (a – k), which are intended to translate this broader policy context into a spatial strategy that will deliver sustainable development. The 11 key headlines are summarised in Table 1 below, with the full policy wording expanded in each of the following chapters in full.

Table 1: Summary of the headline Regional Core Objectives under RSS Policy 1:

<p><i>“To secure the delivery of sustainable development within the East Midlands, all strategies, plans and programmes having a spatial impact should meet the following core objectives:”</i></p> <p>a. <i>“To ensure that the existing housing stock and new affordable and market housing address need and extend choice in all communities in the region...”</i></p> <p>b. <i>“To reduce social exclusion ...”</i></p> <p>c. <i>“To protect and enhance the environmental quality of urban and rural settlements ...”</i></p> <p>d. <i>“To improve the health and mental, physical and spiritual well being of the Region's residents ...”</i></p> <p>e. <i>“To improve economic prosperity, employment opportunities and regional competitiveness...”</i></p> <p>f. <i>“To improve accessibility to jobs, homes and services...”</i></p> <p>g. <i>“To protect and enhance the environment...”</i></p> <p>h. <i>“To achieve a ‘step change’ increase in the level of the Region’s biodiversity...”</i></p> <p>i. <i>“To reduce the causes of climate change...”</i></p> <p>j. <i>“To reduce the impacts of climate change...”</i></p> <p>k. <i>“To minimise adverse environmental impacts of new development and promote optimum social and economic benefits...”</i></p>
--

❖ RSS Policy 2: Promoting Better Design

“The layout, design and construction of new development should be continuously improved, including in terms of reducing CO₂ emissions and providing resilience to future climate change, by:

- *Design led approaches which take account of local natural and historic character;*
- *Minimising energy use, reducing the heat impact of urban areas, using sensitive lighting, improving water efficiency, providing for sustainable drainage (suds) and management of flood water, reducing waste and pollution, securing energy from decentralised and renewable or low carbon energy technologies, incorporating sustainably sourced and recycled materials wherever possible and considering building orientation at the start of the design process;*
- *Ensuring that all urban extensions that require an environmental impact assessment achieve the highest viable levels of building sustainability;*
- *Making the most efficient use of land; locating and designing access from new development to local facilities on foot, by cycle or by public transport;*
- *Highway and parking design that improves both safety and the quality of public space;*

- *Design which helps to reduce crime and the fear of crime, supports community safety, promotes vitality, maintains amenity and privacy, and benefits the quality of life of local people; and*
- *Taking account of the need to develop carbon sinks and 'green infrastructure' networks and provide for access to open space and the enhancement of biodiversity and landscape quality."*

❖ Milton Keynes Sub-Regional Strategy

The Milton Keynes and South Midland Sub-Regional Strategy was originally prepared to form part of RSS8. It remains largely unaltered by the review of the Regional Plan except for two alterations relating to housing provision. The extant element of the MKSM is detailed below. The new RSS includes a revised section of the MKSM regional strategy which is titled Part B Statement for Northamptonshire. The MKSM SRS Part B (contained within the RSS) includes policies focusing on growth of the area. These policies are not considered of relevance to this study and have not been included in this report. Part A (the extant elements of the MKSM RSS) is discussed below.

❖ MKSM Strategic Policy 3: Sustainable Communities

"Sustainable Communities will be achieved in the Sub-Region through the implementation of development in accordance with the following principles:

- Designing attractive cities, towns and public places;
- Promoting the highest standards of environmental performance, including all aspects of water resource management;
- Ensuring good accessibility and providing better public transport;
- Facilitating safe and convenient movement on foot and by cycle;
- Reducing reliance on car-based transport;
- Maximising the opportunities afforded by growth to facilitate the regeneration of deprived communities;
- Protecting, enhancing, and increasing the Sub-Region's stock of strategic environmental and cultural assets;
- Providing green infrastructure for existing and expanding communities, including access to green space that promotes healthy lifestyles and can be used for formal and informal recreation and educational purposes;
- Ensuring that the countryside in and around towns is sensitively designed to assimilate urban extensions into the landscape and accommodate links to and from the wider countryside;
- Improving skills levels, enterprise, and innovation support;
- Ensuring a supply of housing of the right types, sizes and tenure and providing a step change in both the quantity and quality of affordable housing to meet the needs of the Sub-Region;
- Providing the social (e.g. primary, secondary, further and higher education, health and social care) and environmental (e.g. water supply and treatment) infrastructure in accordance with current deficits and additional demands;
- Managing and reducing demand where appropriate (e.g. demand for water);
- Taking advantage of development opportunities for different scales of renewable energy in the Sub- Region;
- Providing high quality employment land and premises which meets the needs of growing industries;

- Maximising the contribution of previously developed land to the Sub-Region's growth;
- Promoting and facilitating community development through the active involvement of the voluntary and community sectors; and
- Ensuring improved community safety."

❖ WNDP Manual for Design Codes, December 2009

WNDP have developed a Manual for Design Codes that was adopted in December 2009. The Manual is considered to have relevance for development control purposes as set out below, and also contributes to the achievement of sustainable development and the zero carbon hierarchy as set out in the Sustainability Manual Framework Document.

Design codes are defined by PPS3 (Housing) as "a set of illustrated design rules and requirements which instruct and may advise on the physical development of a site or area. The graphic and written components of the code are detailed and precise and build upon a design vision such as Masterplan or other design framework for a site or area". They can be submitted in support of a planning application and are seen as particularly useful for outline applications and the development of Masterplans.

The Manual states that a design code must be submitted as a component of a formal planning application, either as part of an outline application or as a detailed application. One of the stated purposes of the Manual is that it "provides further clarity for developers by listing details on the minimum requirements sought by WNDP through the provision of a contents schedule."

Section 3 of the manual specifies the contents of the design code required by WNDP. It gives a summary of the minimum requirements to be covered in each topic area. This includes the development of a sustainability framework that is developed in parallel with the Masterplan. Section 3.2.5 of the Manual provides a general checklist of the elements that must be found within a sustainability framework under the headings of social, environmental, and economic. It states that the Design Code should ensure that through the implementation of the development, these aims and objectives are met. The checklist is reproduced in Table 2 below:

Section 3.2.5 provides a general checklist of elements that should be found within a sustainability framework.

Social

Social sustainability refers to all elements of development that will support the vitality, health and well-being of a community. This broadly comprises:

Convenient access for all to:

- Public services such as schools, health care;
- Public transport;
- Work opportunities;
- Maintained facilities such as recreational areas and parks; and
- Community facilities.

Housing:

- Appropriate density;
 - Mixed tenure in terms of affordability, age and household composition; and
- Responding to the community's needs.

Safety through good urban design - The seven attributes of safer places:

- Access and movement;
- Structure;
- Surveillance;
- Ownership;
- Physical protection;
- Activity; and
- Management.

Built Environment:

- Maintain and enhance the quality and local distinctiveness of buildings and townscape; and
- Protect and enhance cultural heritage.

Environmental

Environmental sustainability is more quantifiable and covers a wide range of interventions. It includes:

Biodiversity:

- The maintenance and enhancement of the indigenous fauna and flora; and
- The protection and creation of green spaces.

Landscape:

- The maintenance and enhancement of the quality and local distinctiveness; and
- The assistance in urban heating and cooling.

Prudent use of natural resources and incorporating energy efficiency:

- Passive solar design and building orientation;
- The incorporation of appropriate scale and types of renewable energy technologies;
- The maintenance and improvement of the quality of water and air;
- The efficient use of water, land and soil;
- The management of flood risks;
- The minimisation of energy consumption and efficient management of non-renewable energy;
- Management of non-renewable energy;
- The maximisation of recycling and minimising waste;
- Use of local and recycled material; and
- Use of building methodology that reduces energy consumption (refer to BREEAM and CSH standards).
-

Economic

Economic sustainability is important to ensure that a development is viable and can be realised. To achieve this, it should be able to generate a minimum level of economic activity. Economic sustainability can be achieved through:

Employment:

- The maintenance and promotion of employment opportunities for all.

Wealth creation:

- The retention of factors conducive to wealth.

Town Centres:

- The protection and improvement of the vitality and viability of town centres;
- The promotion of a variety of local services;
- The attraction of visitors;
- The promotion of local distinctiveness and competitive advantage; and
- Ensuring that infrastructure capacity matches development needs and plans.

It is considered that given the material nature of the Manual for Design Codes, this checklist could be used for development control for all planning applications being considered by WNDC.

Appendix A of the Manual is the Design Code Assessment Matrix, which aims to provide a standard framework for assessment. Section 14 of the Appendix covers a series of questions and objectives for assessing the sustainability of a development and is reproduced below.

14. SUSTAINABILITY	Question	Source	Objective	Comments	Evidence
	To what extent has sustainability been treated as an integral overarching theme running through the design coding process?	AP21 & Planning for Climate Change Requirement Planning Design Code 4 Practice Manual (Communities and Local Government 2006, pg 46)	Provide sustainability through all aspects of the development.		
	To what extent has climate change been taken into consideration?	AP21 & Planning for Climate Change Requirement, Revised for Design Code 4 Practice Manual (Communities and Local Government 2006, pg 119)	Reduce the carbon footprint of the development.		
	Is there a broad agenda given for sustainable design?	AP21 & Planning for Climate Change Requirement Planning Design Code 4 Practice Manual (Communities and Local Government 2006, pg 10)	Integrate sustainability over the full life cycle development of the site.		
	To what extent have low carbon technologies been incorporated in the code?	AP21 & Planning for Climate Change Requirement, Revised for Design Code 4 Practice Manual (Communities and Local Government 2006, pg 10)			
	To what extent do the design codes reflect the government's regulations on climate change as set out in PP21 and the Planning for Climate Change Requirement?	AP21 & Planning for Climate Change Requirement Planning Design Code 4 Practice Manual (Communities and Local Government 2006, pg 10)	Comply with existing policy statements.		
	To what extent is access to cycling encouraged?	AP21 & Planning for Climate Change Requirement (AP21)	Reduce the carbon footprint of the development.		
	To what extent is the Code for Sustainable Homes being integrated within the built form?	AP21 & Planning for Climate Change Requirement, Designing Quality Homes: Urban Design Compendium, 2. Design Frameworks and Housing Compendium, pg 26	Reduce the carbon footprint of the development and promote the wellbeing of residents.		
	To what extent is the use of sustainable transport being encouraged?	AP21 & Planning for Climate Change Requirement, Designing Quality Homes: Urban Design Compendium, 2. Design Frameworks and Housing Compendium, pg 27	Reduce the carbon footprint of the development.		
	To what extent are carbon reductions from on-site renewables being generated?	AP21 & Planning for Climate Change Requirement, Designing Quality Homes: Urban Design Compendium, 2. Design Frameworks and Housing Compendium, pg 27	Reduce the carbon footprint of the development.		
	Is sustainable urban drainage (SUD) promoted where practical and technically appropriate?	AP21 & Planning for Climate Change Requirement, Designing Quality Homes: Urban Design Compendium, 2. Design Frameworks and Housing Compendium, pg 122	Provide the energy and resource efficiency of the development and prevent flooding.		

The criteria of RSS Policy 1 and MKSM Policy 3 essentially sets out the foundations for an initial 'checklist', against which local planning authorities should prepare their own policy documents and proposed developments should be assessed. In addition to the WND Manual for Design Codes, further requirements and checklists for plan making and development control are provided in the main body of the RSS relating to more specific elements of sustainability. These are discussed further within Chapters 3 to 12 of this report.

Other regional documents which relate to sustainability have been reviewed. Whilst these documents do not have direct development control roles they inform policy development. These are set out below:

❖ Sustainable Communities in the East Midlands, Building for the Future, February 2003

The (then) Deputy Prime Minister launched the Sustainable Communities Plan on 5 February 2003 and is referenced under the National heading above. This document includes a Regional Action Plan, which, along with the national document, set out the policies, resources and partnerships with the aim of achieving “*successful, thriving communities in every part of the country*”.

The East Midlands Regional Action Plan states that it provides the tools to build “*successful, thriving and inclusive communities*”, which:

- “*Are economically prosperous;*
- *Have decent homes at a price people can afford;*
- *Safeguard the countryside;*
- *Enjoy a well-designed, accessible and pleasant living and working environment; and*
- *Are effectively and fairly governed with a strong sense of community*”.

The Action Plan is broken down under the following headings: planning; housing; transport; economic growth and skills; tackling deprivation and renewing communities; and liveability.

The action plan includes a number of points which have now been addressed through the finalised East Midlands Regional Plan. Those considered of relevance to WND are as follows:

- “*We will ensure that where possible major investment proposals are steered towards disadvantaged areas.*
- *We will encourage local authorities in the major cities and towns to promote urban renaissance in partnership with other public agencies and the private sector.*
- *In rural areas we will encourage partners to make efforts to improve access to services such as rural post offices and village shops. In addition we will ensure through planning policies that employment opportunities can be broadened.*

- *We have set a target in RPG8 for 60% of all new housing, including conversions, to be provided on brownfield sites;*
- *We want local assessments of urban housing capacity to be undertaken across the region so that fewer greenfield sites need to be allocated in local plans as, for example, in Lincoln and its surrounding area.”*

❖ East Midlands Integrated Regional Strategy Framework¹³

The East Midlands Integrated Regional Strategy Framework (IRS) is a living document, last updated January 2009. The IRS Framework aims to draw together the key issues and challenges for the East Midlands, providing the overarching picture of what is happening in the region.

The five agreed priorities for the region are:

- Reduce inequalities and improve community cohesion in the region;
- Conserve and enhance the natural environment;
- Create sustainable and healthy communities throughout the region;
- Improve sustainable economic performance and competitiveness and
- Reduce the impacts on and of climate change and use natural resources more efficiently.

These are combined with 17 sustainable development objectives, which have not been reviewed in this report as they do not have direct relevance to development control.

The RSS is one of the component regional strategies of the IRS Framework. The RSS, amongst the other component documents, have been developed within the context provided by the IRS Framework and so together will help the region move towards its vision, objectives and priorities for a more sustainable future.

This living document should be reviewed regularly, as any changes to the priorities and objectives of the document will inform future regional policies.

❖ The East Midlands State of the Region Report 2009

A potentially useful document of reference is the East Midlands Regional Assembly's 'State of the Region' report, which monitors the progress the region has made in achieving the sustainable development objectives of the region's IRS Framework and can be downloaded from: <http://www.emra.gov.uk/files/sor2009full.pdf>.

❖ East Midlands Integrated Toolkit

The East Midlands Integrated Toolkit (EMIT) has been developed to assist decision makers, planners and developers throughout the region in evaluating the impacts of their plans, policies and projects on the region's sustainable development objectives. The web based tool developed on behalf of the East Midland Regional Assembly describes itself as:

- *“An appraisal tool for those assessing individual proposals. Appraisals can readily be combined to show how well a range of proposals meets an overall aim.*
- *A web-based toolkit designed for use under the umbrella of the East Midlands Integrated Regional Strategy.*
- *Suitable for Local and Regional proposals.”*

It includes a series of questions under the following headings: built environment; community safety; culture; employment opportunities; enterprise and innovation; health; housing; learning and skills; lifestyles; location of development; natural environment; natural resources; social capital; transport and accessibility.

¹³ <http://www.emra.gov.uk/what-we-do/housing-planning-transport/irs-framework>

It should however be noted that this tool does not receive planning support in the RSS and therefore is not considered by the author to be a significant material consideration at this stage.

❖ WNDC's Planning Principles document

In February 2009 WNDC's Planning Principles document was published setting out basic principles that inform the use of the Corporation's statutory planning powers. In light of the current policy situation within West Northamptonshire, the document seeks to provide a concise statement based around four key principles. These for WNDC define the standards that need to be realised through the planning process. They are:

- Quality service;
- Quality places;
- Sustainable environment; and
- Infrastructure delivery.

The publication reaffirms the Corporation's commitment to lasting quality and sustainable construction and seeks to clarify policy guidance for the area so that decisions reflect local priorities.

A common theme of all planning policy and guidance for West Northamptonshire is that high quality sustainable development should be the aim of all those involved in the development process, providing a foundation upon which the production of design codes can be based.

2.4 Local

The current local plans for the relevant local authorities are in the process of being replaced by plans that conform to the Planning and Compulsory Purchase Act, 2004. The West Northamptonshire Joint Planning Unit (JPU), which is described in Section 2, is producing a Joint Core Strategy (JCS) with the Emergent Joint Core Strategy (EJCS) issued in July 2009. The EJCS sets out current thinking with respect to the policy approach that should be taken in West Northamptonshire and is based on the evidence collected to date. The EJCS states that it is not a draft plan or final strategy but is based on an extensive body of work.

The EJCS sets out a series of 'plan objectives' together with a series of questions to guide the consultation asking whether consultee's agree with the objectives. The EJCS sets out its vision for West Northamptonshire for 2026 which includes a statement that the sub-region should be:

"... a national example of low environmental impact development in response to climate change".

Question 1 of the documents asks consultee's to respond stating whether they agree with this vision.

In the transition period from old style Local Plans to Local Development Frameworks, local authorities can seek a Direction from the Secretary of State to 'save' policies for a period of three years from the commencement date of the Act, which was 28th September 2004. Saved policies therefore expired on 27th September 2007 unless the Secretary of State has made a Direction to extend such policies beyond that date. An extension was applied to all three authorities contained within WNDC's boundary.

While none of the saved policies address sustainable development explicitly, each of them implicitly deals with it through their suite of other policies; this is identified in the remainder of this report.

3 Climate Change and Energy

3.1 Introduction

The impacts of global climate change are growing more apparent. Scientific evidence points to the release of greenhouse gases - such as carbon dioxide and methane - into the atmosphere by human activity as the primary cause of this change.

The Government believes that climate change is the greatest long-term challenge facing the world today. Addressing climate change is therefore the Government's principal concern for sustainable development. Policies and priorities for action, both in the UK and internationally, are set out in the Climate Change Programme and the 2007 Energy White Paper.

Climate change mitigation has increasingly been recognised as an important driver for policy- and decision-makers. Many have argued on the other hand that any meaningful focus on adaptation will detract from efforts to reduce emissions. However, better understanding of the science and the inertia of the climate system, which effectively means we're locked into some degree of climate change for at least the next few decades, has meant that increasing attention is now being paid to adaptation.

Adaptation helps ensure that urban environments are more robust in the face of inevitable climate change. But many solutions can also have a positive influence on place-making and quality of life. A growing body of policy and legislation at a range of scales is now emerging or in place.

3.2 National

The Government has an extensive programme of legislative and policy development in relation to climate change and new documents are being published and consultations launched on a regular basis. Activity has increased in the last year with the establishment of the Department of Energy and Climate Change (DECC) in October 2008. DECC brings together:

- Energy policy (previously with BIS - the Department for Business, Innovation & Skills); and
- Climate change mitigation policy (previously with Defra - the Department for Environment, Food and Rural Affairs).

The following sections summarise the current legislation and national policy of significance for this study and, where known, the Government's proposals for future changes. Whilst the majority of these documents do not have direct relevance to development control they will be crucial documents that will inform the future direction of planning policy. The PPS1 Supplement on Planning and Climate Change (along with other statements of Government policy) is the exception and details policy of direct relevance to development control.

- ❖ Planning Policy Statement: Planning and Climate Change Supplement to Planning Policy Statement 1, December 2007¹⁴

This PPS1 supplement sets out national guidance on how planning should contribute to reducing emissions and stabilise climate change. It states *"the planning system needs to support the delivery of the timetable for reducing carbon emissions from domestic and non-domestic buildings. Building a Greener Future sets out a progressive tightening of Building Regulations to require major reductions in carbon emissions from new homes to get to zero carbon by 2016. There are similar ambitions to cut carbon emissions from new non-domestic buildings"*.

The PPS1 supplement asserts the following requirement in relation to renewable and low carbon energy generation: *"In developing their core strategy and supporting local development documents, planning authorities should provide a framework that promotes and encourages*

¹⁴ PPS1 Supplement <http://www.communities.gov.uk/documents/planningandbuilding/pdf/ppsclimatechange.pdf>

renewable and low carbon energy generation. Policies should be designed to promote and not restrict renewable and low-carbon energy and supporting infrastructure.

In particular, planning authorities should:

- Not require applicants for energy development to demonstrate either the overall need for renewable energy and its distribution, nor question the energy justification for why a proposal for such development must be sited in a particular location;*
- Ensure any local approach to protecting landscape and townscape is consistent with PPS22 (see below) and does not preclude the supply of any type of renewable energy other than in the most exceptional circumstances;*
- Alongside any criteria-based policy developed in line with PPS22, consider identifying suitable areas for renewable and low-carbon energy sources and supporting infrastructure, where this would help secure the development of such sources but in doing so take care to avoid stifling innovation including by rejecting proposals solely because they are outside areas identified for energy generation; and*
- Expect a proportion of the energy supply of new development to be secured from decentralised and renewable or low-carbon energy sources.”*

Most importantly for WNDC the PPS1 supplement states: *“in the interim period before the development plan is updated to reflect the policies in this PPS, planning authorities should ensure proposed development is consistent with the policies in this PPS and avoid placing requirements on applicants that are inconsistent.”*

Paragraph 11 of the PPS makes it clear that *“in considering planning applications before RSSs and DPDs can be updated to reflect this PPS, planning authorities should have regard to this PPS as a material consideration which may supersede the policies in the development plan”.*

In terms of development control, the following decision-making criteria should be considered:

- “The proposed provision for new development, its spatial distribution, location and design should be planned to limit carbon dioxide emissions;*
- New development should be planned to make good use of opportunities for decentralised and renewable or low carbon energy¹⁰;*
- New development should be planned to minimise future vulnerability in a changing climate;*
- Climate change considerations should be integrated into all spatial planning concerns;*
- Mitigation and adaptation should not be considered independently of each other, and new development should be planned with both in mind;*
- Sustainability appraisal (incorporating strategic environmental assessment) should be applied to shape planning strategies and policies that support the Key Planning Objectives; and*
- Appropriate indicators should be selected for monitoring and reporting on in regional planning bodies’ and planning authorities’ annual monitoring reports. Such monitoring should be the basis on which regional planning bodies and planning authorities periodically review and roll forward their planning strategies.*

Planning authorities should adhere to the following principles in determining planning applications:

- Controls under the planning, building control and other regulatory regimes should complement and not duplicate each other;*
- Information sought from applicants should be proportionate to the scale of the proposed development, its likely impact on and vulnerability to climate change, and be consistent with that needed to demonstrate conformity with the development plan and this PPS;*
- Specific and standalone assessments of new development should not be required where the requisite information can be made available to the planning authority through*

the submitted Design and Access Statement, or forms part of any environmental impact assessment or other regulatory requirement; and

- *In considering planning applications before Regional Spatial Strategies (RSSs) and Development Plan Documents (DPDs) can be updated to reflect this PPS, planning authorities should have regard to this PPS as a material consideration which may supersede the policies in the development plan¹¹. Any refusal of planning permission on grounds of prematurity because a DPD is being prepared or is under review but has not yet been adopted should be consistent with Government policy”.*

❖ Draft PPS: Planning For a Low Carbon Future in a Changing Climate (2010)

Although only issued in draft, the PPS has been prepared to take account of new legislation and policy since 2007. The PPS outlines the value and importance of climate change issues as part of the evidence-base of plan preparation and site allocations and provides advice, at the Development Management level, on the weight and importance of renewable technologies and the contribution that careful and imaginative design can make to achieving more sustainable forms of development.

❖ PPS22: Renewable Energy, August 2004¹⁵

PPS22 sets out the Government's policies for renewable energy, which planning authorities should have regard for when preparing local development documents and when taking planning decisions. This replaces Planning Policy Guidance Note 22 (PPG22). Where conflicts appear between PPS22 and the PPS1 supplement this is intentional and the latter should take precedence.

The guidance states that regional planning bodies and local planning authorities should adhere to the following key principles in their approach to planning for renewable energy:

- *“Renewable energy developments should be capable of being accommodated in locations where the technology is viable and environmental, economic, and social impacts can be addressed satisfactorily.*
- *Regional spatial strategies and local development documents should contain policies designed to promote and encourage, rather than restrict, the development of renewable energy resources.*
- *At the local level, planning authorities should set out the criteria that will be applied in assessing applications for planning permission for renewable energy projects. The Government may intervene in the plan making process where it considers that the constraints being proposed by local authorities are too great or have been poorly justified.*
- *The wider environmental and economic benefits of all proposals for renewable energy projects should be given significant weight in determining whether proposals should be granted planning permission.*
- *Regional planning bodies and local planning authorities should not make assumptions about the technical and commercial feasibility of renewable energy projects.*
- *Local planning authorities, regional stakeholders and Local Strategic Partnerships should foster community involvement in renewable energy projects.*
- *Development proposals should demonstrate any environmental, economic and social benefits as well as how any environmental and social impacts have been minimised through careful consideration of location, scale, design and other measures.”*

¹⁵ PPS22 <http://www.communities.gov.uk/documents/planningandbuilding/pdf/147444>

PPS22 has led to the development and adoption of planning policies around large-scale and on-site renewable energy policies. In addition, the supplement to PPS1 on planning and climate change significantly expands the role of regional planning bodies and local authorities in planning for low and zero-carbon energy technologies and approaches. Many local authorities have also developed Supplementary Planning Guidance (SPGs) and SPD on energy and renewables. For example, the Energy and Development SPD prepared jointly by South Northamptonshire Council and Daventry District Council and adopted in March 2007 (see Section 3.3).

It is strongly recommended that when developing planning policy and guidance and making decisions on renewable and low carbon energy that the 'energy hierarchy' is applied to ensure that energy efficiency is adopted as a priority over the use of renewable technologies by a development. The hierarchy has been adopted by the Local Government Association and applies the following:

- *Reduce the need for energy;*
- *Use energy more efficiently;*
- *Use renewable energy; and*
- *Any continuing use of fossil fuels to be clean and efficient for heating and co-generation.*

In addition, the inclusion of technologies that can offer a low carbon solution to producing energy, such as CHP, should also be considered. Low carbon technologies can be particularly beneficial in helping developments achieve a target for on-site CO₂ reductions. These issues are described further in the accompanying report prepared by Faber Maunsell for WNDC (*WNDC – Sustainability Guide*); which has been produced as a companion to this policy review.

❖ UK Low Carbon Transition Plan, 2009

The Government launched the UK Low Carbon Transition Plan¹⁶ White Paper on 15 July 2009. The plan forms the national strategy for climate change and energy, which sets out how a 34% cut in CO₂ equivalent emissions will be achieved by 2020.

The plan described includes the following measures of particular relevance to planning and energy use:

- *Homes and communities:* increasing the Carbon Emissions Reduction Target for energy suppliers by 20%, which is expected to result in about £3.2bn investment in a suite of energy efficiency and community energy saving measures detailed in the document;
- *Workplaces and jobs:* financial support and incentives to invest in energy savings and low carbon technologies;
- *Power sector:* support for renewable energy development (see below);
- *Transport:* a range of proposals to promote low carbon vehicles and fuels; and promotion of walking and cycling;
- *Farming, land use and waste:* support for anaerobic digestion of waste and manure; reducing waste to landfill and improving capture of landfill gas; encouraging private funding to create additional woodland.

The Plan is accompanied by a suite of documents, including:

- The UK Renewable Energy Strategy;
- The UK Low Carbon Industrial Strategy;
- Consultation on Renewable Electricity Financial Incentives; and
- Low Carbon Transport: A Greener Future

¹⁶ The UK Low Carbon Transition Plan (DECC, July 2009)

As it is of particular importance to this study, further information is provided on the Renewable Energy Strategy. The Low Carbon Transport document is discussed within the transport chapter below.

❖ UK Renewable Energy Strategy (2009)

The UK Renewable Energy Strategy (White Paper)¹⁷ describes how the UK will meet its legally binding target to supply 15% of all of the energy it uses from renewable sources by 2020. This target is anticipated to be achieved by using renewable energy technologies to supply:

- Over 30% of our electricity;
- 12% of the heat we use; and
- 10% of energy for transport.

The strategy includes the following actions to help achieve these targets:

- Planning process: establishing a new planning process for nationally significant infrastructure projects (as introduced in the Planning Act 2008 and discussed further below); support for English regions to develop evidence-based strategies for achieving 2020 renewable energy targets; developing skills and providing resources to support swifter development and implementation of regional and local energy planning policy and; helping to resolve environmental impacts of renewable energy technologies and address spatial conflicts with other uses such as radar and navigation.

The UK RES reiterates that planning authorities should have regard to both PPS1 and PPS22 when preparing local strategies and when taking planning decisions. The UK RES also details improvements in the development application process at the local level now being taken forward by the Department for Communities and Local Government (CLG). These include:

- Reducing the number of small-scale developments that require full planning permission. The Government is currently assessing whether small-scale wind, air source heat pumps and other renewable technologies could be included. Consultation will be undertaken later this year, with a view to introducing new regulations in April 2010.
- Increasing flexibility for planning permissions. The Government is currently consulting on the introduction of a package of measures that will provide a proportionate and graded approach to making changes to existing planning permissions. This is particularly useful for renewable and low carbon developments where the technology may be new or evolving.

❖ Draft Heat and Energy Saving Strategy, February 2009

The Draft Heat and Energy Saving Strategy was published for consultation in February 2009. It aims to ensure that emissions from all existing buildings are approaching zero by 2050. Although the document has little focus for development control, it does however provide useful information on the future direction of local planning policy and plan making in terms of energy.

The draft strategy proposes a new focus on district heating in suitable communities, removal of barriers to the development of networks and encouragement of combined heat and power (CHP) and better use of surplus heat through carbon pricing mechanisms. It also refers to extending the Building Regulations to require energy saving measures to be carried out alongside certain types of building work on existing buildings and proposed a new voluntary code of practice with the building trade on energy efficiency and low carbon energy.

It states that RDAs and local authorities can play a key role in devising energy plans that make sense for particular localities and in bringing people and communities together to save and generate energy to reduce their CO₂ emissions.

¹⁷ The UK Renewable Energy Strategy (DECC, July 2009)

The summary of responses to the consultation indicates broad support for the draft strategy, with emphasis on the need to support those in fuel poverty, coordinate measures targeted at householders and ensure that financing mechanisms are clear and easy to use. Some of the proposals in the Draft Strategy have been taken forward in the Low Carbon Transition Plan and related documents, while DECC has announced an intention to publish further proposals by the end of 2009.

❖ Building Regulations and the Trajectory to Zero Carbon

It is important to recognise the role of Building Regulations and the future Trajectory to Zero Carbon.

The Building Regulations first started to turn its focus towards reducing CO₂ emissions in the 2002 revision to Part L (Conservation of Fuel and Power). Further revisions to Part L in 2006 brought the UK Building Regulations in line with the EU's Energy Performance of Buildings Directive (EPBD), introducing amongst other things the requirement for Energy Performance Certificates (EPCs).

The current 2006 Building Regulations Part L requires that CO₂ emissions calculated for a new development should be equal to or less than a Target Emission Rate. This is generally in the region of 20% lower than CO₂ emissions from a building which complies with the 2002 Building Regulations, depending on the specific building type.

Following consultation, the Government's 'Building A Greener Future: Policy Statement' announced in July 2007 that all new homes will be zero carbon from 2016. In the Budget 2008, the Government also announced its ambition that all new non-domestic buildings should be zero carbon from 2019 (with earlier targets for schools and other public buildings). The Government has also indicated that non-domestic buildings will be required to be zero carbon by 2019, again implemented through the Building Regulations.

The 'Definition of Zero Carbon Homes and Non-Domestic Buildings' consultation, which took place in late 2008 and early 2009 sought to clarify the definition of zero carbon that will be applied to new homes and buildings through proposed changes to the Building Regulations. Prior to the introduction of the zero carbon requirements, the following intermediary step changes are proposed to Part L for dwellings:

- 2010: 25% improvement in regulated emissions (relative to 2006 levels). This is expected to broadly correspond to the energy and CO₂ element of Level 3 of the Code for Sustainable Homes. The changes are being discussed as part of a current government consultation and are expected to enter regulation in April 2010. Similar regulatory requirements will apply to non-domestic buildings.
- 2013: 44% improvement in regulated emissions (relative to 2006 levels), corresponding to Code Level 4 for domestic buildings.
- 2016: zero carbon in terms of both regulated and unregulated emissions for domestic buildings.
- 2019: zero carbon in terms of both regulated and unregulated emissions for non-domestic buildings.

The importance to development control and WND of the Building Regulations and the future trajectory to zero carbon is that it illustrates how the emphasis for delivering on-site low and zero carbon energy technologies is gradually shifting away from planning to Building Regulation. This leaves planning to play a supporting role in requiring energy standards ahead of Building Regulations or non-energy elements of the Code for Sustainable Homes, where these can be justified, and in identifying 'allowable solutions' post 2016.

❖ Sustainable New Homes – The Road to Zero Carbon: Consultation on the Code for Sustainable Homes and the Energy Efficiency Standard for Zero Carbon Homes (December 2009)

Drawing from the consultation noted above in respect of the Definition of Zero Carbon Homes and Non-Domestic Buildings, the Sustainable New Homes consultation maintains the 'direction of travel' of the earlier consultation document, aimed at securing zero carbon homes by 2016, with interim steps in 2010 and 2013 aligned through Part L of the Building Regulations. The intention is to include an energy efficient standard within the definition of zero carbon, comprising a technical assessment against which all housing development (including flats) should comply. In effect, the consultation document seeks to bring the Code for Sustainable Homes in line with Building Regulations to ensure zero carbon homes are delivered from 2016, with future reviews of the Code in 2013 and 2016, at the same time as further alterations to Building Regulations are anticipated.

❖ Defining a Fabric Energy Efficiency Standard for Zero Carbon Homes, November 2009

The review of Zero Carbon Homes (ZCH) was undertaken following general recognition that it would not be physically possible for all carbon dioxide emissions from a development to be mitigated on site and, therefore, that a new definition of ZCH was required. The review introduces a hierarchical approach to achieving ZCH.

This hierarchical approach comprises three basic elements:

1. An energy efficient approach to building design;
2. Reducing carbon dioxide on-site via low and zero carbon technologies and connected heat networks; and
3. Mitigating the remaining carbon emissions with a selection of (off-site) Allowable Solutions.

The document sets a requirement that 70% of the carbon compliance level of development is achieved through the fabric energy efficiency standard (part 1) and the use of on-site technology (part 2). Other allowable solutions (part 3), relating to off-site measures, can then be used to achieve zero carbon, up to a maximum of 30%.

It is therefore proposed that Zero Carbon Homes will be secured through a combination of energy efficiency standards to be implemented through building regulations, on-site low and zero-carbon technologies and off-site 'allowable solutions'.

❖ Draft National Policy Statements for Energy Infrastructure, November 2009

The consultation document, which outlines the 'direction of travel' with regard to infrastructure planning and policy for major energy-related development, contains National Planning Statements (NPS) relating to various aspects of energy provision, including renewable energy infrastructure. Linked to the formation of the Infrastructure Planning Commission (a body determining strategic scale infrastructure proposals) NPS's are intended to be the primary consideration for decisions made by the IPC and to assist in creating a more efficient and transparent decision-making process. Whilst NPS's are material considerations in other forms of decision making (i.e. beyond decisions made by the IPC) increasing weight will be afforded as these documents move through to formal publication/adoption.

❖ Small Scale Renewables and Low Carbon Technology: Non-Domestic Permitted Development Review (2009)

The review, reflective of the desire to promote the use of renewable technologies on non-domestic buildings in order to contribute to the national sustainability agenda, seeks to make it easier, simpler and more cost effective for owners and occupiers of non-domestic buildings to install micro generation renewable technologies on buildings. As such, it proposes changes to the General Permitted Development Order that, subject to compliance with various criteria, creates a framework for enabling the installation of such technologies without the need for planning permission.

❖ The Planning Act, 2008

The Planning Act established a single development consent regime and a new planning process for nationally significant infrastructure projects. It created a new independent Infrastructure Planning Commission (IPC), which will be able to independently grant permission for such infrastructure projects, replacing the current requirement for these projects to obtain planning permission and other statutory approvals defined by section 33(1) of the Planning Act.

National infrastructure priorities in areas such as energy, aviation, road and rail transport, water and waste will be described in new National Policy Statements, which will be used to guide the planning process and the decisions of the IPC. Nationally significant infrastructure projects include energy schemes, such as the construction of or extension of a generation station over 50MW (which are already outside the scope of the planning system) or the installation of electricity lines above ground. District heating networks are not currently classed as nationally significant infrastructure although other types of pipeline are included.

The Planning Act also introduced the enabling legislation for the Community Infrastructure Levy (CIL), which will empower local authorities to levy a charge on development to support infrastructure development. This is likely to affect the development control role of WNDP. Section 205(2) of the Act details that the overall purpose of the CIL would be to ensure that costs incurred in providing infrastructure to support the development of an area can be funded (wholly or partly) by owners or developers of land. Further details have been published in a consultation, entitled CIL Detailed Proposals and Draft Regulations for the Introduction of the Community Infrastructure Levy (July 2009).

The CIL, which is expected to enter regulation in April 2010, may only be used to pay for infrastructure. The definition of infrastructure for this purpose is broad, to allow local authorities flexibility to account for local needs, but would include for example transport links, schools, health care facilities, drainage, sporting facilities and open spaces. In relation to this study, it may also include district heat networks or other energy generation and supply infrastructure (including wind turbines and district heating pipes for example). It is only intended to cover additional infrastructure needs arising from the local development plan and not to "remedy existing deficiencies". CIL funds may be pooled across local authority areas to provide sub-regional infrastructure, provided that it supports development in the area. Local authorities will not be required to introduce the CIL; however it will be a mandatory charge where it is introduced. The levy will be calculated using simple formulae linked to the size and character of a development and will be levied on a cost per metre squared basis.

The Planning and Energy Act 2008 also sets in statute the role of planning authorities in setting energy targets and enabled local planning authorities to set requirements for energy use and energy efficiency in development plans.

❖ The Climate Change Act, 2008

The Climate Change Act set a legally binding target for reducing UK CO₂ emissions by at least 80% on 1990 levels by 2050. It also established the Committee on Climate Change, which is responsible for setting binding interim carbon budgets for the Government over successive five year periods. The first three carbon budgets were announced in the Budget 2009. They amount to an interim target of a 34% reduction in CO₂ equivalent emissions on 1990 levels by 2020. An intended target of a 42% reduction by 2020 came into effect in December 2009.

❖ The Energy Act, 2008

The Energy Act strengthens the Renewable Obligations to increase the diversity of the UK electricity mix and improve the reliability of energy supplies in the UK. It also enables the Government to introduce financial assistance for low carbon electricity generation through feed-in tariffs to guarantee payment to those generating less than 5MW. Both of these measures will improve the financial viability of potential low and zero carbon schemes.

The Act also allows the Secretary of State to modify licences for the distribution of gas and electricity to require licence holders to install or help install smart meters in different customer segments. This includes domestic housing, and will assist in monitoring energy consumption and the quantification of energy efficiency measures in terms of real reduction in energy demand.

The final key provision in the Act relating to climate change allows the Secretary of State to establish a financial support programme for renewable heat generated from large industrial sites down to individual households. Again, this may have an effect on the viability of schemes and the sustainable design of new developments through encouraging developers to include appropriate technology.

❖ The UK Climate Change Programme (2006)¹⁸

The Climate Change Programme, published in 2006, sets out the national policies and priorities for action in the UK and internationally. In addition, the Government has also made a commitment to introduce an annual report to Parliament. Subsequently, the Climate Change and Sustainable Energy Act 2006 placed an obligation on Government to report to Parliament on greenhouse gas emissions in the UK and action taken by Government to reduce these emissions.

❖ Meeting the Energy Challenge – the Energy White Paper (May 2007)¹⁹

The Energy White Paper demonstrates how the Government is implementing the measures set out in the Energy Review Report in 2006, as well as those announced since, including in the Pre-Budget Report in 2006 and the Budget in 2007. The White Paper looks to address two long-term energy challenges:

- Tackling climate change by reducing carbon dioxide emissions both within the UK and abroad; and
- Ensuring secure, clean and affordable energy as we become increasingly dependent on imported fuel.

The White Paper sets out the Government's international and domestic energy strategy to respond to these challenges by addressing long term energy issues and delivering the UK's four energy policy goals:

- To put the UK on a path to cutting CO₂ emissions by 60% by 2050, with real progress by 2020 (this has subsequently been increased to 80% by the Climate Change Act 2008);
- To maintain the reliability of energy supplies;
- To promote competitive markets in the UK and beyond; and
- To ensure that every home is adequately and affordably heated.

In addition, the White Paper has set a target of using renewable energy resources to supply 10% of UK electricity by 2010, and a further aspiration to double renewables' share of electricity to 20% by 2020.

¹⁸UK Climate Change Programme <http://www.defra.gov.uk/environment/climatechange/uk/ukccp/pdf/ukccp06-all.pdf>

3.3 Regional

Regional policies on energy have been informed by the development of a Regional Energy Strategy and the EMRA study on Energy Issues for the East Midlands. The key policies relating to energy are as follows:

❖ RSS Policy 1: Core Strategy

“To secure the delivery of sustainable development within the East Midlands, all strategies, plans and programmes having a spatial impact should meet the following core objectives:

i) To reduce the causes of climate change by minimising emissions of CO₂ in order to meet the national target through:

- *Maximising ‘resource efficiency’ and the level of renewable energy generation;*
- *Making best use of existing infrastructure; and*

Promoting sustainable design and construction and ensuring that new development, particularly major traffic generating issues, is located so as to reduce the need to travel, especially by car.

j) To reduce the impacts of climate change, in particular the risk of damage to life and property from flooding and sea level change and the decline in water quality and resources. This will be achieved through the location, design and construction of new development in ways that include:

- *Reducing the build up of heat island effects in urban areas;*
- *Providing carbon sinks; and*
- *Providing sustainable drainage and managing flood water.”*

❖ RSS Policy 2: Promoting Better Design

“The layout, design and construction of new development should be continuously improved, including in terms of reducing CO₂ emissions and providing resilience to future climate change, by:

- *Design led approaches which take account of local natural and historic character;*
- *Minimising energy use, reducing the heat impact of urban areas, using sensitive lighting, improving water efficiency, providing for sustainable drainage (suds) and management of flood water, reducing waste and pollution, securing energy from decentralised and renewable or low carbon energy technologies, incorporating sustainably sourced and recycled materials wherever possible, and considering building orientation at the start of the design process....”*

❖ RSS Policy 28: Core Strategy Regional Priorities for Environmental and Green Infrastructure

“Local Authorities and those responsible for the planning and delivery of growth and environmental management across the Region should work together to assess the capacity of existing Environment Infrastructure to accommodate change in order to inform decisions on the scale, location and phasing of new development. Account should be taken of current deficits and likely future demands, including those likely to result from climate change, to identify any further needs or constraints”

❖ RSS Policy 39: Regional Priorities for Energy Reduction and Efficiency

“Local Authorities, energy generators and other relevant public bodies should:

- *Promote a reduction of energy usage in line with the ‘energy hierarchy’; and*

- *Develop policies and proposals to secure a reduction in the need for energy through the location of development, site layout and building design.”*

❖ RSS Policy 40: Regional Priorities for Low Carbon Energy Generation

“Local Authorities, energy generators and other relevant public bodies should promote:

- *The development of Combined Heat and Power (CHP) and district heating infrastructure necessary to achieve the regional target of 511 MWe by 2010 and 1120 MWe by 2020; and*
- *The development of a distributed energy network using local low carbon and renewable resources...”*

“In order to help meet national targets low carbon energy proposals in locations where environmental, economic and social impacts can be addressed satisfactorily should be supported. As a result, Local Planning Authorities should:

- Safeguard sites for access to significant reserves of coal mine methane;
- Identify suitable sites for CHP plants well related to existing or proposed development and encourage their provision in large scale schemes;
- Consider safeguarding former power station and colliery sites for low carbon energy generation;
- Support the development of distributed local energy generation networks; and
- Develop policies and proposals to achieve the indicative regional targets for renewable energy set out in Appendix 5.

Policy 40 also details that *consideration should also be given to establishing criteria for onshore wind energy; and establishing criteria for new facilities required for other forms of renewable energy.*

3.4 Local

The following list of local policy and guidance is relevant to the issues of energy efficiency and renewables:

The Emergent Joint Core Strategy (EJCS) (July 2009) sets out the following policy approaches for consultation relating to energy and climate change:

- Section 5.3 of the EJCS sets out the Spatial Vision for West Northamptonshire which includes the area becoming *“a national example of low environmental impact development in response to climate change”*.
- *“6.10.6 Climate Change*
- *6.10.6.5 This strategy seeks to embed a response to climate change in all policy approaches. The overarching principle of this strategy is to increase the self-sufficiency of the area, which in turn will reduce the need to travel by delivering real improvements in transport choice.*
- *6.10.6.6 The Strategy seeks to mitigate the effects of climate change and reduce carbon dioxide emissions through making best use of existing infrastructure, seeks to ensure that new development provides the opportunity to travel by alternative means to the private car, and encourages the most sustainable approach to layout and design.*
- *6.10.6.7 The strategy seeks to reduce the impacts of climate change by promoting enhancement of the green infrastructure network, increasing woodland cover, safeguarding wetlands and considering the impact of development on the entire water*

cycle. In addition, the highest standards of environmental performance and design will be sought from all developments.”

Northampton Borough Council – saved policies of the Local Plan (adopted 1997):

❖ Policy E39: Renewable Energy

Planning permission for development involving renewable energy installations (designed to generate energy from the sun, wind, water or waste materials) will be granted where:

- The design and appearance of the installation will not cause undue detriment to the amenity of the locality;
- Any noise and disturbance created by the proposal are considered acceptable in relation to surrounding land uses; and
- The proposal does not adversely affect important views or skylines or the character of the surrounding area.

South Northamptonshire Council and Daventry District Council

❖ Energy and Development SPD, March 2007

This SPD will form part of the LDF for both Councils.

This SPD provides advice and guidance on ways in which development can be more energy efficient and the use of renewable energy maximised. This document can be applied to all types of building, from residential to large-scale commercial and industrial developments. The guidance will be used when assessing planning applications for new development and changes of use and for building operations affecting existing buildings.

In summary, the SPD requires, via the submission of an energy statement, the following:

- Residential developments of 10 units or over shall achieve Code for Sustainable Homes level 3;
- Residential developments of under 10 units shall achieve Code for Sustainable Homes level 2; and
- All non-residential development over 1,000 square metres shall incorporate renewable energy equipment to provide at least 10% of predicted energy requirements.

By requiring Code level 3, the SPD requires developments to achieve a 25% improvement on Building Regulations for England and Wales (2006) in terms of energy performance. For developments requiring Code level 2, this would be an 18% improvement. In addition to requirements relating to energy use, the Code also sets mandatory levels for internal water consumption and surface water attenuation, which would need to be met in order to achieve the required Code level rating. Refer to Chapter 12 of this report for more details on Code for Sustainable Homes.

The energy standard of a 25% improvement on Building Regulation 2006 required by this SPD is to become a mandatory requirement, enforced through Building Regulations for all domestic buildings in 2010, therefore making it non applicable under planning. However, this standard can be enforced within South Northamptonshire Council and Daventry District Council through development control up until the 2010 building regulations are enforced.

3.5 Summary

Current policy at the local level is considered to be weak in the area of climate change and energy. However, the SPD on Energy and Development details clear guidance on the energy standard to be met in south Northamptonshire and Daventry, which should be applied to all planning decisions in this area. As detailed above, the reference to the Code energy standards is only relevant up until 2010 and the introduction of the new building regulations, although the full requirements of the Code will remain relevant to planning. Importantly, the SPD Code

requirements are not supported by policy in the existing development plan; however, it may be possible to enforce by using the PPS1 supplement as a material consideration and as the necessary evidence base. It is likely that such requirements however, will be challenged by applicants. To fill the gaps in policy the PPS1 supplement development control principles should be applied to all development control decisions.

4 Water Supply and Conservation

4.1 Introduction

The Defra website on environmental protection states “*water is a precious natural resource and its sustainable management is essential to protect the water environment and to meet current and future demand. Population, household size and growth and affluence all affect how much water we use. Factors such as climate change are also likely to put supplies under greater pressure in the future, making it important that we adopt more efficient water use patterns*”.

In England, the Government is responsible for dealing with all aspects of water policy, such as water supply and resources, and the regulatory systems for the water environment and the water industry. These include drinking water quality; the quality of water in rivers, lakes and estuaries, coastal and marine waters; sewage treatment; and reservoir safety.

Stakeholders in the development of water policy include the Environment Agency (which manages water resources and enforces water quality standards), the Drinking Water Inspectorate (which regulates the quality of drinking water) and Ofwat (which is responsible for economic regulation of the water industry).

4.2 National

❖ ‘Future Water’: Water Strategy for England, February 2008²⁰

The Government’s new Water Strategy for England was published 7 February 2008. This strategy sets out the long-term vision for water policy and management in England where, by 2030 at the latest, the Government will have:

- Improved the quality of the water environment and the ecology which it supports and continued to provide high levels of drinking water quality;
- Sustainably managed risks from flooding and coastal erosion, with greater understanding and more effective management of surface water;
- Ensured a sustainable use of water resources and implemented fair, affordable and cost-reflective water charges;
- Cut greenhouse gas emissions; and
- Embedded continuous adaptation to climate change and other pressures across the water industry and water users.

Chapter 10 of Future Water sets out the visions and actions that will be implemented by Government in order to achieve the above aspirations.

In addition, Future Water sets out expectations for water supply, water efficiency and water treatment to 2030. It sets out proposals to achieve an average household water consumption across England of 130 litres per person per day (and where possible 120l/p/d depending on ‘new technology development and innovation’), down from the current average of 150 litres. It also addresses water charging, surface water management and water pollution.

❖ Water Efficiency and New Buildings (July 2007)

Defra and CLG published a joint policy statement in July 2007 called ‘Water Efficiency and New Buildings’ that made clear their intention to legislate on water efficiency through Building Regulations and changes to the Water Fitting Regulations. It proposed a residential minimum standard of 125 litres per person per day (equivalent to the Code level 1-2, plus 5 litres to allow for external water use) and fittings performance efficiency regulations for toilets, urinals and taps to have an impact on the non-residential stock and an indirect effect on existing stock. In

²⁰Future Water <http://www.defra.gov.uk/environment/water/strategy/pdf/future-water.pdf>

May 2009 CLG released the draft Building Regulations Part G Approved Document with proposals for meeting the water efficiency standards through the use of the New National Water Efficiency Calculator for New Homes.

Local authorities can choose to go beyond building regulation on water efficiency if the local context supports it. The local and regional setting is discussed below.

4.3 Regional

❖ East Midlands Regional Plan (March 2009)

In addition to the policies of the Water Strategy for the East Midlands (discussed below) the RSS has developed the following policies, which planning applications within the East Midlands area must comply with:

RSS Policy 1 – “Regional Core Strategy” includes the consideration of water resources and details:

“j) To reduce the impacts of climate change, in particular the risk of damage to life and property from flooding and sea level change and the decline in water quality and resources. This will be achieved through the location, design and construction of new development...”

RSS Policy 2 – “Promoting Better Design” also addresses water efficiency stating:

“The layout, design and construction of new development should be continuously improved, including in terms of reducing CO₂ emissions and providing resilience to future climate change, by:

- *..... Improving water efficiency, providing for sustainable drainage (suds) and management of flood water”*

RSS Policy 32 – “A Regional Approach to Water Resources and Water Quality” specifically addresses water conservation setting out the following requirements relevant to development control:

“Local Authorities, developers, water companies, the Environment Agency and other relevant public bodies should work together to:

- *Take water related issues into account at an early stage in the process of identifying land for development and in the phasing and implementation of development, e.g. by undertaking water-cycle studies;*
- *Ensure timely provision of appropriate additional infrastructure for water supply and wastewater treatment to cater for the levels of development provided for in this plan, whilst meeting surface and groundwater quality standards and avoiding adverse impacts on designated sites of nature conservation of international importance;*
- *Promote improvements in water efficiency in new development and in regeneration to achieve a regional target of 25% (equivalent to an average saving of about 35 litres per person per day);*
- *Reduce unsustainable abstraction from watercourses and aquifers to sustainable levels; and*
- *Make provision for the development of new water resources where this represents the most sustainable solution to meeting identified water resource requirements, taking account of predictions of future climate change.*

This document sets out a target which can be used for development control purposes. WNDC should encourage and expect all planning applications to achieve a 35 litres per person per day saving in water consumption. Further clarification of the target is provided in paragraph 3.3.29 of the RSS which states:

“Para 3.3.29 The twin track approach of managing demand and developing new resources should be applied by the water companies when developing the next round of water resource plans.

Local Development Frameworks and the development industry also have a key role to play in promoting greater water efficiency in new development. It is estimated that up to 25% savings can be achieved in new housing development by:

- *Installation of 6 litre flush toilets;*
- *Use of water efficient tap fittings;*
- *Water efficient washing machines;*
- *Water efficient dishwashers; and*
- *Low flow showers.”*

In line with Policy 32, water-cycle studies should also be requested in support of planning applications.

❖ **Water Resources for the Future: A Strategy for the East Midlands, 2001**

Regional priorities for water resource management are contained in ‘Water Resources for the Future: A Strategy for the East Midlands’, published by the Environment Agency in 2001. This indicates that throughout much of the region, surface water is already fully utilised during the summer months and that much of the groundwater in the East Midlands is subject to an “*unacceptable abstraction regime*”. In summary, the strategy concludes that:

- Water is becoming a scarce resource and should not be taken for granted;
- Future developments in the East Midlands should recognise the limited availability of water as an influence on their location and timing, and should incorporate water efficiency measures and sustainable drainage systems at the feasibility or planning stage;
- Water abstraction cut-backs are necessary in some areas to improve the environment;
- A ‘twin-track’ approach to meeting future demands should be followed, combining further water resource developments and improvements with sensible management of our demands through efficient use;
- Over the next 25 years, we expect household water metering to become more widespread, providing a greater incentive for sensible use of water in the home, with appropriate tariffs to protect vulnerable households;
- Industry should strive to use water efficiently and realise the economic and environmental benefits;
- Farmers should strive to use water efficiently and consider opportunities to work with others to develop new sources of water and consider the development of winter storage to ensure reliable supplies;
- Climate change studies suggest summers could become drier and winters wetter. Water resource options that are flexible to the possible impacts of climate change are preferred; and
- Mineral and aggregate companies should take steps to minimise the impact of their extraction operations on the local water environment.

4.4 Local

The existing saved policies within the study area do not promote the conservation of water resources. However, the EJCS shows clear support for water conservation.

The EJCS addresses water resource conservation under the topics of Designing in Quality and Climate Change. The proposed policy approach under Designing in Quality is set out under section 6.10.2.2 and details:

“6.10.2.2 The Joint Core Strategy design policies will:

- *Address social and sustainable as well as visual and functional concerns e.g. The impact of design upon the natural resources in the area such as water.”*

The issue of water resource conservation is given further support under the topic of climate change. Section 6.10.6.3 of the EJCS sets out one of the principal impacts of climate change as:

- *“Water shortages will increase competition for water from domestic, industrial, and agricultural users and wider habitat needs.”*

Under the topic of climate change the EJCS sets out the following policy approach:

“6.10.6.5 This strategy seeks to embed a response to climate change in all policy approaches...

6.10.6.6 The Strategy seeks to mitigate the effects of climate change ...and encourages the most sustainable approach to layout and design.

6.10.6.7 The strategy seeks to reduce the impacts of climate change by... considering the impact of development on the entire water cycle. In addition, the highest standards of environmental performance and design will be sought from all developments.”

Clear support is therefore shown in the EJCS to water conservation. The targets of the RSS should therefore be applied and requested in support of planning applications.

4.5 Summary

At this stage the water policies at the local level are considered to be inconsistent with those at the regional level. However, as the RSS forms part of the development plan document the policies of the RSS should be referred to for the purposes of development control.

The key items to be requested in planning submissions might be:

- Water cycle studies of the development; and
- Details of the water efficient specifications to be installed and calculation of the water savings being achieved.

5 Flood Risk and Sustainable Drainage

5.1 Introduction

In 2004 the Government's Foresight Future Flooding²¹ report estimated that, taking account of the likely effects of climate change in the design of present-day measures to reduce flood risk, annual average flood damages could increase by between 2 and 20 times by the end of the century. Changes will be highly dependent on the actual impact of climate change and sea level rise, patterns of growth, development (building etc) and future flood risk management activity.

Defra has overall *policy* responsibility for flood and coastal erosion risk in England and funds the Environment Agency to advise planning authorities on development proposals to ensure flood risk is properly taken into account in the planning process. Defra's policy is to reduce risks to people, property and the environment from flooding and coastal erosion through the provision of defences, flood forecasting and warning systems, increased flood resilience of property, beneficial land management changes and discouragement of inappropriate development in areas at risk of flooding (CLG has lead responsibility for development-related planning policy).

5.2 National

❖ Planning Policy Guidance 25: Development and Flood Risk, December 2006²²

PPS25 outlines the Government's approach on development and flood risk and seeks to ensure that flood risk is taken into account at all stages in the planning process.

The key objective of PPS25 is to deliver sustainable development by appraising risk, managing risk and reducing risk. The Policy states that a risk-based Sequential Test should be applied to all stages of planning with the aim of steering new development to areas with the lowest probability of flooding (Zone 1). Zones 2 and 3 are identified by the Environment Agency with Flood Zone 1 being all the land falling outside Zones 2 and 3.

The PPS states that for development proposals on sites of 1 hectare or above the vulnerability to flooding from river, sea and other sources, and the potential to increase flood risk elsewhere through the addition of hard surfaces and the effect of the new development on surface water run-off, should be considered as part of a Flood Risk Assessment.

5.3 Regional

The RSS states that in preparing development plans, local planning authorities need to take into account all the latest information available on potential flooding. In addition, it is stressed that care must be taken not to look at relatively small areas in isolation. For example, account needs to be taken of the effect development in upland safe locations can have on areas downstream.

RSS Policy 1 – "Regional Core Strategy" sets out the following requirement for all strategies and plans that have a spatial impact:

"To secure the delivery of sustainable development within the East Midlands, all strategies, plans and programmes having a spatial impact should meet the following core objectives:

j) To reduce the impacts of climate change, in particular the risk of damage to life and property from flooding and sea level change and the decline in water quality and resources. This will be achieved through the location, design and construction of new development in ways that include:

- *Providing sustainable drainage and managing flood water."*

²¹ Foresight Future Flooding http://www.foresight.gov.uk/previous_projects/flood_and_coastal_defence/index.html

²² PPS25 <http://www.communities.gov.uk/documents/planningandbuilding/pdf/planningpolicystatement25>

The use of sustainable drainage techniques is also promoted within Policy 2 -

“Promoting Better Design” which states:

“The layout, design and construction of new development should be continuously improved, including in terms of reducing CO₂ emissions and providing resilience to future climate change,

by:

- *...Providing for sustainable drainage (SUDS) and management of flood water”,*

RSS Policy 35 – “A Regional Approach to Managing Flood Risk” sets out the following requirements for plan making:

“Local Development Frameworks and the strategies of relevant public bodies should take account of the potential impact of climate change on flooding and land drainage. In particular, they should:

- *Be informed by Strategic Flood Risk Assessments in order to evaluate actual flood risk. Priority areas for assessment include the built up areas of Derby, Nottingham and Newark;*
- *Include policies which prevent inappropriate development either in, or where there would be an adverse impact on, the coastal and fluvial floodplain areas;*
- *Deliver a programme of flood management schemes that also maximise biodiversity, provide townscape enhancement and other public benefits; and*
- *Require sustainable drainage in all new developments where practicable.”*

Policy 35 adds the following requirements for developments, which should be enforced by WNDP within their development control role:

“Development should not be permitted if, alone or in conjunction with other new development, it would:

- *Be at unacceptable risk from flooding or create such an unacceptable risk elsewhere;*
- *Inhibit the capacity of the floodplain to store water;*
- *Impede the flow of floodwater in a way which would create an unacceptable risk elsewhere;*
- *Have a detrimental impact upon infiltration of rainfall to ground water storage;*
- *Otherwise unacceptably increase flood risk; and*
- *Interfere with coastal processes.*

However, such development may be acceptable on the basis of conditions or agreements for adequate measures to mitigate the effects on the overall flooding regime, including provision for the maintenance and enhancement of biodiversity. Any such measures must accord with the flood management regime for that location.”

5.4 Local

At present there are no local policies relating to flood risk and sustainable drainage within the saved policies of local authorities within the policy area. However, the EJC shows emerging policy requirements for reduction of flood risk and promotion of sustainable drainage within developments:

“Objective 10, Para: 5.3.11 - To protect the environment by minimising the risk of flooding and the effects of climate change and facilitating improvements in air quality.”

Section 6.10.7 of the EJCS covers Flood Risk. This section references the Level 1 Strategic Flood Risk Assessment (SFRA) that has been undertaken for West Northamptonshire. The Level 2 Strategic Flood Risk Assessments for Northampton is in the process of being completed, whilst the Level 2 Strategic Flood Risk Assessments for South Northamptonshire and Daventry have been completed.

In addition, the West Northamptonshire Joint Planning Unit has produced “The West Northamptonshire Phase 1 (Outline) Water Cycle Strategy” which can be downloaded from <http://www.westnorthamptonshirejpu.org>. This study assesses the potential impacts and constraints associated with major development areas with regard to flood risk, water resources and supply, foul sewerage, waste water treatment, water quality and water-related ecology.

The EJCS states that once these studies have been completed, policy will be developed for West Northamptonshire which will “*set policy enabling detailed standards and policy recommendations for all new developments that will provide guidance on the preparation of Flood Risk Assessments for areas of varying risk across the flood zones to enable developers to adhere to the detailed flood risk policies. This guidance will also include information about the effective use of Sustainable Urban Drainage Systems (SUDS) techniques.*”

Reference to the specific flood risk of each of the Locations of Growth is identified in Section 6.7 of the EJCS. It is not the role of this document to review flood risk down to this detail therefore the reader is directed to review this text separately.

5.5 Summary

Policy at the local level is still in development. Therefore reference should be made to the requirements set out in the RSS at this stage, particularly the requirements of Policy 35.

6 Sustainable Design and Construction

6.1 Introduction

For the purposes of this study it is considered that sustainable design construction is a multi-topic approach and is addressed by each of the Chapters 3 to 6 and 8 to 12 in turn. This chapter provides details of where national and regional planning documents make specific reference to sustainable design and construction.

Delivering more sustainable forms of development and effectively tackling the causes and effects of climate change in the way local government plan new communities requires an innovative approach, especially given England's plans for spatial growth. The Government has prepared a number of strategies and documents aimed at encouraging local planning authorities to adopt policy and guidance on sustainable design and construction. The aim is to encourage developers to consider the environmental impact and performance of their developments.

6.2 National

❖ PPS1: Planning and Climate Change – Supplement to PPS1

The PPS1 supplement makes reference to the Code for Sustainable Homes in paragraph 32 stating:

“When proposing any local requirement for sustainable buildings planning authorities should:

– specify the requirement in terms of achievement of nationally described sustainable buildings standards, for example in the case of housing by expecting identified housing proposals to be delivered at a specific level of the Code for Sustainable Homes”.

❖ Building a Better Quality of Life – a Strategy for More Sustainable Construction, April 2000²³

The Government states *“construction provides the delivery mechanism for many aspects of Government policy aimed at the provision and modernisation of the nation's built environment – for example, transport, housing, schools, hospitals and flood defences. The economic, social and environmental benefits which can flow from a more efficient and sustainable construction industry are potentially immense”.*

As part of the Strategy for More Sustainable Construction, the Government aims to provide a catalyst for change in construction across the UK. The Strategy identifies priority areas for action and suggests indicators and targets to measure progress. It sets out action that the Government has already taken and further initiatives that are planned and highlights what others can do. The Government will use the Strategy as a framework to guide its policies towards construction and will encourage people involved in construction to do the same.

The key objectives of the strategy are:

- To increase the awareness and understanding of sustainable construction;
- To define the government expectations and how the policies will be effective; and
- To simulate action by individual businesses.

To identify where a building has incorporated sustainable design and construction techniques, the Government has developed assessment procedures which enables a development or building to be awarded with a nationally recognised rating. Examples of methods used for assessing the environmental impacts of a building at early design stage through to construction include the Code for Sustainable Homes and the BRE Environmental Rating Method (BREEAM). These methods use the following headings in their assessments:

²³ Building a better quality of life <http://www.berr.gov.uk/files/file13547.pdf>

- Energy and CO₂ emissions;
- Water;
- Materials;
- Surface water run-off;
- Waste;
- Pollution;
- Health and well being;
- Management;
- Ecology; and
- Transport.

6.3 Regional

❖ East Midlands Regional Plan, March 2009

RSS Policy 1 – “Regional Core Strategy” sets out the following requirement for all strategies and plans that have a spatial impact, which makes specific reference to sustainable design and construction:

“To secure the delivery of sustainable development within the East Midlands, all strategies, plans and programmes having a spatial impact should meet the following core objectives:

- *k) To minimise adverse environmental impacts of new development and promote optimum social and economic benefits through the promotion of sustainable design and construction techniques.”*

At the regional level the RSS makes reference to the East Midlands Sustainable Construction and Design Guide (2004) under the topic of Promoting Better Design, within the sub-text for Policy 2 - Promoting Better Design. The full policy wording of Policy 2 is provided in Section 3 above.

Para 1.4.1 of the RSS states:

“some new development has been of an unacceptably low standard. In the future, it is essential that all new developments in the East Midlands aspire to the highest standards of design and construction if the IRS’s vision of sustainable development is to be achieved. Particularly important factors include adaptability to climate change, improving resource efficiency, reducing CO₂ emissions, greater use of local materials and meeting the needs of an ageing population.”

No reference is made to sustainable construction specifically within the RSS and no direct policy support is given to the East Midlands Sustainable Construction and Design Guide (2006). However, it should be noted that each of the policies referenced within this report contribute towards the goal of sustainable construction.

❖ WNDC Manual for Design Codes(2009)

As discussed within Chapter 3 (refer back for further details) the WNDC Manual for Design Codes provides a summary of the minimum requirements to be covered in each topic area of a design code, which WNDC expect to be submitted in support of planning applications. Section 3.2.5 provides a general checklist of elements that are found within a sustainability framework element of the design code and could be used as a checklist for the delivery for sustainable design and construction within the study area.

It should be noted that the Manual also requires the use of BREEAM and the Code for Sustainable Homes under the topic of environmental sustainability.

6.4 Local

Similar to the regional policy section above, the saved Local Plan policies and the emerging Core Strategy do not make specific reference to sustainable construction. However, each of the local policies draw out under the remaining chapters of this document set requirements which contribute to sustainable design and construction.

6.5 Summary

Reference to Code for Sustainable Homes requirements is made at the national level (in the PPS1 supplement) and also in the WNDL Manual for Design Codes. In the future development of plans WNDL should give consideration to the setting of Code standards in line with these documents.

7 Sustainable Waste Management and Material Use

7.1 Introduction

The Government has highlighted that taking action on waste is essential since we are consuming natural resources at an unsustainable rate and contributing unnecessarily to climate change. Each year the UK generates about 100 million tonnes of waste from households, commerce and industry combined. Although recycling rates have increased dramatically in recent years, a significant proportion still ends up in landfill, where biodegradable waste generates methane, a powerful greenhouse gas. This is problematic since valuable energy is used up in making new products which are later disposed of, thereby contributing to climate change. Land filling waste also means that the opportunity to use the energy inherent in the waste stream, through waste to energy or pyrolysis for instance, is lost.

The production, use and disposal of building materials accounts for significant quantities of energy, resources and has associated environmental impacts. The sustainable use of building materials is therefore a key consideration within sustainability.

Set out below are the national, regional and local requirements for sustainable waste management and materials.

7.2 National

Sustainable Waste Management

❖ PPS10: Planning for Sustainable Waste Management, July 2005²⁴

The key objective of PPS10 is to: *“protect human health and the environment by producing less waste and by using it as a resource wherever possible. Through more sustainable waste management, moving the management of waste up the ‘waste hierarchy’ of reduction, reuse, recycling and composting, using waste as a source of energy, and only disposing as a last resort. The Government aims to break the link between economic growth and the environmental impact of waste.”*

❖ Site Waste Management Plans Regulations, 2008

It is a legal requirement, as of April 2008, for all construction and demolition projects with a cost of greater than £300,000 to produce a Site Waste Management Plan (SWMP). It is intended that a SWMP will provide a structure for handling and disposing of waste throughout all stages of a construction project. The plan should identify:

- Who is responsible for resource management;
- What types of waste will be produced on site;
- How will waste produced on site be managed;
- Which contractors will be used and are they complying with legal requirements; and
- How will the amount of waste generated be measured.

SWMP were first introduced as a voluntary Code of Practice by the Department for Trade and Industry (DTI) in July 2004. Useful tools are available to download from the DTI website²⁵. The voluntary code was reasonably well implemented but only by large, high profile companies. It is hoped that by making a SWMP a statutory requirement for construction and demolition projects they will lead to:

²⁴ PPS10 <http://www.communities.gov.uk/documents/planningandbuilding/pdf/147411>

²⁵ SWMP <http://www.defra.gov.uk/environment/waste/topics/construction/pdf/swmp-toolkit.pdf>

- Tighter controls to eliminate fly-tipping;
- Opportunities for companies to monitor their waste;
- Opportunities to minimise or recycle;
- Greater fairness for legitimate waste operatives; and
- Money savings from improved resource efficiency.

❖ UK Waste Strategy for England, 2007²⁶

Produced by Defra, this and other UK policy, legislation and regulations results in obligations on local authorities and on businesses to manage and handle waste more safely and sustainably. Key objectives of the waste strategy are to:

- Decouple waste growth (in all sectors) from economic growth and put more emphasis on waste prevention and re-use;
- Meet and exceed the Landfill Directive diversion targets for biodegradable municipal waste in 2010, 2013 and 2020;
- Increase diversion from landfill of non-municipal waste and secure better integration of treatment for municipal and non-municipal waste;
- Secure the investment in infrastructure needed to divert waste from landfill and for the management of hazardous waste; and
- Get the most environmental benefit from that investment, through increased recycling of resources and recovery of energy from residual waste using a mix of technologies.

Other key policy aims include:

- To reduce the quantities of waste sent to landfill, e.g. by increasing the quantities of waste that are recycled. There are UK indicators for construction and demolition waste going to landfill and waste disposal by sector;
- To encourage manufacturing of new products using recycled materials and stimulate markets for such products; and
- Recycling targets²⁷, e.g. to recycle 25% of household waste and recover value from 40% of municipal waste by 2005 (the figures were 12.4% and 22.4% respectively in 2001/2).

The UK Waste Strategy sets out the follow hierarchical approach to waste management:

- Waste reduction;
- Re-use;
- Recycling and composting;
- Energy recovery; and
- Disposal.

Materials

❖ UK Strategy for Sustainable Construction, 2008

The sustainable use and sourcing of materials is a key target of the UK Strategy for Sustainable Construction. Chapter 13 covers materials and details the following overarching target:

“That the materials used in construction have the least environmental and social impact as is feasible both socially and economically”.

²⁶ UK Waste Strategy for England 2007 www.defra.gov.uk/environment/waste/strategy/index.htm

²⁷ UK recycling targets www.esauk.org/waste/recycling/targets.asp

This document makes reference to the Code for Sustainable Homes stating:

“The 2006 Code for Sustainable Homes awards credits based on the environmental impact of materials and for materials responsibly sourced. The aim in doing so is to encourage the use of materials with lower environmental impacts over their lifecycle and to recognise and encourage the specification of responsibly sourced materials for basic building and finishing components”.

❖ Waste Strategy for England, 2007

The Waste Strategy for England 2007²⁶ included a commitment to *“Establishing a new products and materials unit within Defra to identify and catalyse actions across the supply chain, to improve the environmental performance of products across their life cycle; with a progress report on delivery in Spring 2008.”* This unit has been formed and their ‘Progress Report on Sustainable Products and Materials’ (July 2008) is available for download²⁸.

7.3 Regional

The materials and waste policies have been reviewed together within the regional planning policy review. These are set out below.

❖ East Midlands Regional Plan (March 2009)

RSS Policy 1 – “Regional Core Strategy” sets out the following requirement for all strategies and plans that have a spatial impact, which makes specific reference to sustainable waste:

“To secure the delivery of sustainable development within the East Midlands, all strategies, plans and programmes having a spatial impact should meet the following core objectives:

g) To protect and enhance the environment through:

- *Reducing the amount of waste produced and increasing the amount recycled or otherwise beneficially managed....”*

Policy 2 – “Promoting Better Design” also requires sustainable waste management and sustainable material use stating:

“The layout, design and construction of new development should be continuously improved...by:

- *...reducing waste... incorporating sustainably sourced and recycled materials wherever possible”.*

RSS Policy 38 sets out the regional priorities for waste management. It states:

“All relevant public and private sector organisations, including manufacturing, importing and packaging firms, should work together to implement the Regional Waste Strategy and promote policies and proposals that will result in zero growth in all forms of controlled waste by 2016 and waste being treated higher up in the ‘waste hierarchy’ set out in the National Waste Strategy (Waste Strategy for England 2007)...

All other Development Frameworks should provide for the minimisation of waste in the construction of and operation of new development and encourage on-site waste management facilities...”

In the pre-amble to Policy 38 the RSS also states:

“Para 3.3.61 Delivering the Regional Waste Strategy will require co-ordinated action by a wide range of interests. A crucial first step will be to promote a change of behaviour from consumers and businesses to reduce waste and promote re-use and recycling. The waste implications of all development should be considered at the earliest possible stage; this should be achieved through undertaking a ‘waste audit’. New development, whether

²⁸ <http://www.defra.gov.uk/environment/business/pdf/prod-materials-report0708.pdf>

it is a waste facility or housing or office development, should contribute to the minimisation of waste in its construction and operation. The waste generation and disposal implications of new development should also be given a higher priority.”

High standards of waste recycling should therefore be enforced through development control by WNDP in all developments.

In terms of sustainable materials practice reference is made within Policy 27 – “Regional Priorities for the Historic Environment”. This policy states that:

“Local Planning Authorities should:

- *Encourage the refurbishment and re-use of disused or under-used buildings of some historic or architectural merit and incorporate them sensitively into regeneration schemes;*
- *Promote the use of local building materials”.*

Although this policy requirement relates to the historic environment it should be applied and promoted where possible within all development.

❖ WNDP Manual for Design Codes(2009)

Reference is made to both sustainable waste and sustainable materials within the WNDP Manual for Design Codes. Section 3.2.5 General checklist of elements that are found within a sustainability framework element of the design code includes the following requirements which relate to this topic:

“Prudent use of natural resources and incorporating energy efficiency:

- *Use of local and recycled material; and*
- *The maximisation of recycling and minimising waste”.*

7.4 Local

❖ Northamptonshire County Council - Northamptonshire Minerals and Waste Development Framework: Core Strategy Submission, December 2008

Northamptonshire County Council is the responsible authority for the production of the Minerals and Waste Development Framework for Northamptonshire, which encompasses the WNDP study area. The Minerals and Waste Development Framework will ultimately replace the Minerals and Waste Local Plans. On 12 December 2008 the Core Strategy and the representations received on it were submitted to the Secretary of State for independent examination. The public hearing sessions associated with the examination were held in the summer of 2009 and the Inspector concluded the Core Strategy was sound in Spring 2010

The Core Strategy includes the following policies covering sustainable waste management and also use of sustainable materials.

❖ Policy CS1: Northamptonshire’s Waste Management Capacity

“The development of a sustainable waste management network to support growth within Northamptonshire will involve the provision of facilities to meet the following indicative waste management capacities during the plan period:

- *Recycling and composting (MSW and C&I) capacity of 822,000 and 970,000 tonnes per annum for 2016 and 2026 respectively;*
- *Landfill diversion (MSW and C&I) capacity of 451,000 and 522,000 tonnes per annum for 2016 and 2026 respectively;*

- *Inert recycling capacity of 928,000 and 1,089,000 tonnes per annum for 2016 and 2026 respectively; and*
- *Hazardous waste management of 45,000 and 50,000 tonnes per annum for 2016 and 2026 respectively.*

This provision will come from a mix of extensions to existing sites, intensification or redevelopment of existing sites and new sites, providing they all meet the spatial strategy for waste management and are assessed as meeting environmental, amenity and other requirements. Allocations that will contribute to meeting provision will be identified in the Locations for Waste Development DPD.”

❖ Policy CS7: Sustainable Design and Use of Resources

“New built development should seek to utilise the efficient use of resources in both its construction and its operation through:

- *Design principles and construction methods that minimise the use of primary aggregates and encourage the use of building materials made from secondary and recycled sources;*
- *Construction and demolition methods that minimise waste production and re-use and recycle materials, as far as practicable, on-site;*
- *The use of non-mineral construction materials, except where there is a need to protect and conserve the existing character of the area, which require traditional building materials;*
- *Design and layout that allows the sorting, recycling and composting of waste; and*
- *The promotion of energy and water efficiency.”*

❖ Northamptonshire County Council - Northamptonshire Minerals and Waste Development Framework: Development and Implementation Principles SPD (March 2007)²⁹

Although the SPD is not a policy document in itself (rather it provides guidance on policy contained in other planning documents), it is applicable to all development (in relation to the minimisation of development related waste and the provision of waste facilities with other development), as well as minerals and waste development (in relation to development design and site restoration, after-care and after-use) within the Northamptonshire area. When the Core Strategy is updated the guidance contained within the SPD will be superseded and it will be updated by an amendment in due course. It identifies principles and provides guidance to support:

- Minimisation of development related waste;
- Provision of waste management facilities with other development;
- Innovative sensitive design of minerals and waste development; and
- Responsible stewardship which provides beneficial after-use of minerals and waste development.

This SPD provides detailed guidance to assist in the implementation of specific policies from the adopted Minerals and Waste Local Plans, which include the following:

❖ Waste Local Plan (WLP) Policy 5 – Development Related Waste Minimisation

²⁹NCC SPD <http://www.northamptonshire.gov.uk/NR/rdonlyres/F4CC6C98-4E89-4491-BBC2-41E0D98A3685/0/SPDAadopted.pdf>

Proposals for new development should show what measures are to be taken in the clearing of the site and the construction of the development, for minimising the generation of waste and for the management and disposal of the waste to be generated.

❖ WLP Policy 6 - Integration of Neighbourhood Waste Facilities with Other Development

Proposals for new residential, industrial and commercial development will be expected to incorporate into their design and layout, neighbourhood facilities for the separation, storage and collection of waste to increase the efficiency of its subsequent re-use, recycling and treatment. Proposals for such neighbourhood facilities to serve existing developments will be encouraged. In all cases, proposals should comply with the policies of the Plan aimed at safeguarding the environment and local amenity and include as part of the planning application, practical measures for securing the satisfactory management of the facilities.

❖ WLP Policy 7 – Design

Proposals for waste development will need to be of a design that has regard to the visual appearance of the development in the context of the defining characteristics of the local area. Proposals should:

- Complement the existing topography and vegetation;
- Use materials and colouring appropriate to the location;
- Incorporate landscape proposals as an integral part of overall development of the site;
- Use high quality, innovative designs where appropriate;
- Maximise the conservation of energy; and
- Give consideration to the use of recycled materials where suitable.

The SPD also contains within it two householder and one industry guide to assist in the practical implementation of the SPD.

Specific reference is not made to sustainable waste management and sustainable materials within the EJCS. However, the following saved polices made reference:

❖ Northampton Borough Council Waste Local Plan (adopted 2006)³⁰

The purpose of the plan is to set out detailed policies and proposals in relation to waste management and waste disposal in the county. It guides development in terms of the acceptability or otherwise of locations and to control development through setting out a range of standards and assessment criteria against which applications for planning permission can be judged. The plan period for the Waste Local Plan is from 2003 to 2016.

The policies which can be related to sustainable development include:

Policy 1: Principles for Waste Development.

Policy 4: Development of Local Waste Facilities.

Policy 5: Development-related Waste Minimisation.

Policy 6: The Integration of Neighbourhood Waste Facilities with Other Development.

Policy 7: Design.

Policy 9: Natural and Historic Environment- Local Landscape Character.

³⁰NBC Waste Local Plan <http://www.northamptonshire.gov.uk/NR/rdonlyres/A8FF7670-A383-4109-8560-B3B6034CF443/0/070116DWasteLocalPlanMainbody.pdf>

Policy 10: Natural and Historic Environment- National and International Designations and Protected Species.

Policy 11: Natural and Historic Environment- Local Designations.

Policy 13: Water Resources and Flooding.

Policy 16: Restoration, Aftercare and After-Use.

Policy 17: Waste Transfer, Recovery and Recycling.

Policy 18: Composting.

Policy 19: Anaerobic Digestion.

Policy 20: Waste to Energy Recovery.

Northamptonshire County Council is preparing a Minerals and Waste Development Framework. When adopted, this will supersede the Local Waste Plan.

❖ Daventry District Council- Saved Policies (Sept 2007)

Policy EN42 'Design of Development' states:

- "A. Designs promote or reinforce local distinctiveness and enhance their surroundings; and
B. Designs take account of local building traditions and materials."*

❖ South Northamptonshire Council – Saved Polices (Sept 2007)

Policy EV7 states:

"In the special landscape areas planning permission will only be granted for development which will not have a detrimental impact on their character and appearance. Particular attention must be paid to design, materials, siting of buildings and the use of land."

Policy EV9 states:

- "A proposal for development in a conservation area will normally only be permitted where:*
- The design and scale of new work respects the established character of the area;*
 - And the proposal uses traditional materials appropriate to the character of the area."*

7.5 Summary

The policy contained within the RSS requires developments and sets guidelines for sustainable waste practice and sustainable materials use in developments. This is further supported by the NCC Northamptonshire Minerals and Waste Development Framework: Core Strategy Submission, which is a key document of reference for the purposes of development control.

8 Pollution of Air, Water and Land

8.1 Introduction

Planning decisions can have a significant impact on the quality of air, water and land and therefore affect sustainability. Examples might include proposals for a new riverside oil depot upstream of a drinking water intake or above a vulnerable aquifer, or for any development which gives rise to a significant increase in traffic and associated emissions. Securing the Future (HM Government, 2005) includes 'living with environmental limits' as one of its five principles. The protection of our environment in terms of air, water and land is key to living within these limits.

8.2 National

A number of national and international obligations are important in controlling pollution and land contamination. These include the Pollution Prevention and Control Act 1999 and the Pollution Prevention and Control Regulations 2000, the Air Quality Strategy (2000 updated in 2007), and the UK Climate Change Programme. They have informed the preparation of PPS23 (Planning and Pollution Control) and set the context for plan-making and development control in accordance with it.

❖ PPS23: Planning and Pollution Control, November 2004³¹

PPS23 is intended to complement the new pollution control framework under the Pollution Prevention and Control Act 1999 and the PPC Regulations 2000. This Statement advises that:

- Any consideration of the quality of land, air or water and potential impacts arising from development is capable of being a material planning consideration;
- The planning system plays a key role in determining the location of development which may give rise to pollution, either directly or indirectly and in ensuring that other uses and developments are not, as far as possible, affected by major existing or potential sources of pollution;
- The controls under the planning and pollution control regimes should complement rather than duplicate each other;
- The presence of contamination in land can present risks to human health and the environment, which adversely affect or restrict the beneficial use of land but development presents an opportunity to deal with these risks successfully;
- Contamination is not restricted to land with previous industrial uses; it can occur on greenfield as well as previously developed land and it can arise from natural sources as well as from human activities;
- Where pollution issues are likely to arise, intending developers should hold informal pre-application discussions with the LPA, the relevant pollution control authority and/or the environmental health departments of local authorities (LAs) and other authorities and stakeholders with a legitimate interest; and
- Where it will save time and money, consideration should be given to submitting applications for planning permission and pollution control permits in parallel and co-ordinating their consideration by the relevant authorities.

❖ Air Quality Strategy, 2007³²

The UK produced an updated air quality strategy in 2007, which sets targets for reducing levels of eight key air pollutants, of which industry and road traffic are the main sources.

Refer also to PPG 13: Transport for additional planning guidance relating to air quality.

³¹ PPS23 <http://www.communities.gov.uk/documents/planningandbuilding/pdf/planningpolicystatement23.pdf>

³² National Air Quality Strategy www.defra.gov.uk/environment/airquality/strategy/index.htm

8.3 Regional

The East Midlands Regional Plan refers to the requirement to reduce pollution by promoting better design. Policy 2 states:

'The layout, design and construction of new development should be continuously improved including in terms of reducing CO2 emissions and providing resilience to future climate change by:

... providing for sustainable drainage (SUDS) and management of flood water, reducing waste and pollution...'

Policy 1 states that new development should also provide sustainable drainage and manage flood water, which can make an important contribution to pollution control. This is covered in more detail in Policy 32, 'A Regional Approach to Water Resources and Water Quality' which states "use sustainable drainage techniques wherever practical to help mitigate diffuse pollution and support groundwater recharge. These will be required where development is upstream of a designated nature conservation site of international importance or to improve water quality, where the need is demonstrated through water cycle studies."

The RSS highlights the importance of integrating planning for development and water issues. Section 3.3.35 identifies the potential use of rainwater or 'greywater' that avoids the need for new boreholes, to help avoid the pollution of vulnerable aquifers, source protection zones and nitrate vulnerable zones. It advises that information held by the EA should be used in the preparation of LDFs. Policy 32 states: "protect and improve water quality and reduce the risk of pollution especially to vulnerable Groundwater".

Under Policy 36, 'Regional Priorities for Air Quality', the RSS states that LDFs and the strategies of relevant public bodies should:

- *"Contribute to reducing air pollution in the region;*
- *Consider the potential effects of new developments and increased traffic levels on air quality;*
- *And consider the potential impacts of new developments and increased traffic levels on internationally designated nature conservation sites, and adopt mitigation measures to address these impacts."*

8.4 Local

The 'saved' policy for South Northamptonshire Council (Sept 2007) which relates to pollution is outlined below.

Policy G3 of the South Northamptonshire Local Plan (Saved Policies) states:

"Planning permission will normally be granted where the development:

- a. *Is neither of a hazardous nature nor likely to cause problems of pollution, noise, vibration, smell, smoke, discharge or fumes*
- b. *Provides for satisfactory foul and surface water drainage."*

Policy EV25, 'Wildlife corridors, rivers and waterways' states: "the council will not permit development that would adversely affect the nature conservation, landscape or wildlife value of dismantled railways or waterways and watercourses."

The West Northamptonshire EJCS Consultation Draft (July 2009) refers explicitly to pollution in Objective 10 and Section 6.10.7. Objective 10 of the EJCS seeks "to protect the environment by minimising the risk of flooding and the effects of climate change and facilitating improvements in air quality".

Section 6.10.7, 'Flood Risk' states that ensuring that water quality is maintained and enhanced and that any land affected by contamination is suitably remediated so that it is suitable for redevelopment' is part of the approach to ensure development takes place in a sustainable manner.

8.5 Summary

Air quality is noted as a particular issue in the urban conurbations of West Northamptonshire and policy seeks to ensure that pollution of air, water and land is minimised where new development is proposed. There are many zones that are vulnerable to water pollution in the area and the local policy explicitly cites potential solutions to minimise this risk.

9 Biodiversity and Land Use

9.1 Introduction

Biodiversity encompasses the whole variety of life on Earth. The intricate network of ecosystems, habitats and species comprising Biodiversity provides the support systems that sustain human existence. It provides many of the essentials of life - oxygen, water, food, clothing, health and relaxation. The value of biodiversity extends from the spiritual benefits to be gained from contact with nature, to the economic potential of wild species for new sources of food or medicines. This includes the potential for new products being produced through advances in biotechnology.

In a local context biodiversity has particular importance in giving a distinctive character to an area whether it is chalk downland, estuary, woodland or mountain. Even in towns and cities, areas of wildlife habitat make an important contribution to the quality of life and can have higher levels of biodiversity than some rural areas and farm land.

The strategic use of land offers significant potential towards achieving a sustainable development. Whether making good use of brownfield sites, or sites that are already well-placed to service a future community in terms of local amenities and public transport. Measures and approaches that enhance a site, in terms of its ecological and community value will help to support the Government's goal of creating sustainable communities.

9.2 National

Planning policies at all levels stress the important role sustainable development has when ensuring land is used efficiently, particularly where sites have good access to transport links and amenities. For example:

❖ PPS1: Delivering Sustainable Development, 2005, states:

"In preparing development plans local authorities should seek to promote the more efficient use of land through higher density, mixed use development and the use of suitably located previously developed land and buildings. Planners should seek actively to bring vacant and underused previously developed land and buildings back into beneficial use to achieve the higher targets the Government has set for development on previously developed land."

❖ PPS3: Housing, November 2006

PPS3 sets out the national planning policy framework for delivering the Government's housing objectives. As part of the guidance, PPS3 proposes that planning systems should deliver:

- *A sufficient quantity of housing taking into account need and demand and seeking to improve choice; and*
- *A flexible, responsive supply of land – managed in a way that makes efficient and effective use of land, including re-use of previously-developed land, where appropriate.*

In terms of promoting sustainable development, the guidance reflects the argument that high density brings benefits in terms of energy efficiency, land saving and public transport, but can also exacerbate the urban heat island, increase flood risk and reduce opportunities for biodiversity in towns. It is therefore crucial that planning authorities conduct a sustainability appraisal, in accordance with PPS1, of their housing policies and strategies to help deliver sustainable development objectives.

❖ PPS9: Biodiversity and Geological Conservation, August 2005³³

PPS9 sets out the Government's policies in respect to the protection of biodiversity and geological conservation. The PPS refers to previously developed land by stating that the re-use of this type of land makes a major contribution towards sustainable development. However, the PPS recognises that where such sites have significant biodiversity or geological interest local planning authorities, together with developers, should aim to retain this interest or incorporate it into any development of the site.

❖ PPG2: Green belts, January 1995³⁴

PPG2 sets out the five purposes of including land in Green Belts:

- To check the unrestricted sprawl of large built-up areas;
- To prevent neighbouring towns from merging into one another;
- To assist in safeguarding the countryside from encroachment;
- To preserve the setting and special character of historic towns; and
- To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

❖ Planning for a Natural and Healthy Environment (2010)

Although only issued in draft, the PPS has been prepared to replace a number Planning Policy Statements/ Guidance notes either wholly or in part. A key objective of the PPS is to bring together related policies on the natural environment and on open and green spaces in rural and urban areas to ensure that the planning system delivers healthy and sustainable communities which adapt to and are resilient to climate change and gives the appropriate level of protection to the natural environment. Further, for the first time green infrastructure is identified as a requirement to be delivered along with the natural environment.

❖ UK Biodiversity Action Plan³⁵

The UK produced its Biodiversity Action Plan in 1994 in response to commitments made by the UK Government at the Rio Earth Summit in 1992. The UK Action Plan consists of Species Action Plans³⁶, Habitat Action Plans³⁷ and targets for local government organisations to produce Local Biodiversity Action Plans³⁸.

The overall goal of the UK BAP is to: "*conserve and enhance biological diversity within the UK and to contribute to the conservation of global biodiversity through all appropriate mechanisms.*"

Underlying principles include:

- Where biological resources are used, such use should be sustainable;
- Wise use should be ensured for non-renewable resources;
- The conservation of biodiversity requires the care and involvement of individuals and communities as well as Governmental processes;
- Conservation of biodiversity should be an integral part of Government programmes, policy and action;
- Conservation practice and policy should be based upon a sound knowledge base; and

³³ PPS9 <http://www.communities.gov.uk/documents/planningandbuilding/pdf/147408.pdf>

³⁴ PPG2 <http://www.communities.gov.uk/documents/planningandbuilding/pdf/155499.pdf>

³⁵ Biodiversity – The UK Action Plan www.ukbap.org.uk/Library/PLAN_LO.PDF

³⁶ Species Action Plans www.ukbap.org.uk/GenPageText.aspx?id=94

³⁷ Habitat Action Plans www.ukbap.org.uk/GenPageText.aspx?id=95

³⁸ Local Biodiversity Action Plans www.ukbap.org.uk/LBAPTracking.aspx

- The precautionary principle (see glossary) should guide decisions.

Activity on the UK and Local Biodiversity Action Plans is coordinated by a number of management and partnership groups³⁹ and is subject to regular reporting.

9.3 Regional

The Regional Plan contains several policies which relate directly to protecting and enhancing the biodiversity of the Region. Biodiversity policies in the plan have been informed by issues arising from other regional strategies within the IRS, including waste, energy, biodiversity, forestry and cultural strategies.

Policy 1, the Regional Core Strategy states that *"to secure the delivery of sustainable development within the East Midlands, all strategies, plans and programmes having a spatial impact should meet the following core objectives:*

h) Achieve a 'step change' increase in the level of the region's biodiversity through:

- *The management and extension of habitats, both to secure net gains in biodiversity and to facilitate species migration to allow the biosphere to adapt to climate change; and*
- *Ensuring that no net loss of priority habitats or species is allowed to occur."*

Policy 26, "Protecting and Enhancing the Region's Natural and Cultural Heritage' states: *'Sustainable development should ensure the protection, appropriate management and enhancement of the Region's natural and cultural heritage. As a result the following principles should be applied:*

- *The Region's internationally and nationally designated natural and historic assets should receive the highest level of protection;*
- *Neither direct nor indirect damage to EU designated Natura 2000 sites will be permitted;*
- *Damage to natural and historic assets or their settings should be avoided wherever and as far as possible, recognising that such assets are usually irreplaceable;*
- *Unavoidable damage must be minimised and clearly justified by a need for development in that location which outweighs the damage that would result;*
- *Unavoidable damage which cannot be mitigated should be compensated for, preferably in a relevant local context, and where possible in ways which also contribute to social and economic objectives;*
- *There should be a net increase in the quality and active management of natural and historic assets across the Region in ways that promote adaptation to climate change, and an increase in the quantity of environmental assets generally; and*
- *The Region's best and most versatile agricultural land should be protected from permanent loss or damage."*

RSS Policy 28, "Regional Priorities for Environmental and Green Infrastructure' states that *'Local Authorities and those responsible for the planning and delivery of growth and environmental management across the Region should work together to:*

- *Assess the capacity of existing Environment Infrastructure to accommodate change in order to inform decisions on the scale, location and phasing of new development. Account should be taken of current deficits and likely future demands, including those likely to result from climate change, to identify any further needs or constraints;*
- *Select appropriate indicators and targets to monitor the condition of Environmental Infrastructure and to ensure that its capacity to accommodate change is not breached;*

³⁹ Organisation of UK BAP www.ukbap.org.uk/GenPageText.aspx?id=67

- *Ensure that the provision and design of new Environmental Infrastructure is considered and its delivery planned through environmental capacity analysis at the same time as other infrastructure requirements;*
- *Within Local Development Frameworks develop 'green infrastructure plans' based on character assessments of existing natural, cultural and landscape assets and the identification of new assets required to meet the needs of existing and expanding communities;*
- *Increase access to green space that can be used for formal and informal recreation, educational purposes and to promote healthy lifestyles, without increasing pressures on sensitive sites, especially those designated under the European Habitats Directive; and*
- *Identify delivery and funding mechanisms for the creation and future management of Green Infrastructure, including from the planning system and other funding sources such as EU funded Environmental Stewardship Schemes."*

RSS Policy 29, "Priorities for Enhancing the Region's Biodiversity" states that:

Local Authorities, statutory environmental bodies and developers should work with the voluntary sector, landowners and local communities to implement the Regional Biodiversity Strategy, and to deliver a major step change increase in the level of biodiversity across the East Midlands. Measures should include the:

- *Achievement of the East Midlands regional contribution towards the UK Biodiversity Action Plan targets as set out in Appendix 3;*
- *Establishment of large scale habitat creation projects in the biodiversity conservation and enhancement areas illustrated in Diagram 6;*
- *Establishment of a regional project to promote the re-creation of key wildlife habitats in each Natural Area in the East Midlands;*
- *Creating, protecting and enhancing networks of semi-natural green spaces in urban areas;*
- *Creating, protecting and enhancing features of the landscape which act as corridors and 'stepping stones', essential for the migration and dispersal of wildlife;*
- *Development and implementation of mechanisms to ensure that development results in no net loss of BAP habitats and species, particularly for restricted habitats with special environmental requirements, and that net gain is achieved; and*
- *Development and maintenance of appropriate data to monitor and report on regional targets, baps and bcas/beas."*

RSS Policy 30, 'Regional Priorities for Managing and Increasing Woodland Cover' states "opportunities should be taken to increase woodland cover as part of new development and by using other mechanisms, focusing on the Northamptonshire Growth Areas, where woodland creation and linkage should feature as a significant component of new green infrastructure."

Policy 31, 'Priorities for the Management and Enhancement of the Region's Landscape' states: "The Region's natural and heritage landscapes should be protected and enhanced by:

- *The promotion of the highest level of protection for the nationally designated landscapes of the Peak District National Park and the Lincolnshire Wolds Area of Outstanding Natural Beauty;*

- *The promotion of initiatives to protect and enhance the particular character of the Sherwood, Charnwood and Rockingham Forests;*
- *The establishment of criteria-based policies in Local Development Frameworks to ensure that development proposals respect intrinsic landscape character in rural and urban fringe areas, including, where appropriate, recognition of the value of tranquillity and dark skies; and*
- *The identification in Local Development Frameworks of landscape and biodiversity protection and enhancement objectives through the integration of Landscape Character Assessments with historic and ecological assessments.*
- *Where not already in place, Local Authorities should prepare Landscape Character Assessments to inform the preparation of Local Development Frameworks. These can also be used to develop Supplementary Planning Documents.”*

9.4 Local

The West Northamptonshire Emergent Joint Core Strategy (July 2009) also commented on the biodiversity of the region and presented some policy approaches, which are outlined below.

6.10.3. Green Infrastructure states that *“new development will be expected to contribute towards enhancing, restoring and creating new elements of the green network. The network will form part of the new growth areas contributing to meeting West Northamptonshire’s infrastructure requirements in terms of open space, sport and recreation, and more broadly to its environment, biodiversity and accessibility. Development will not be permitted to compromise the integrity of the green infrastructure network.”*

West Northamptonshire has many areas which are noted for their natural heritage and a wide variety of species and habitats, many of which are recognised as being locally important. Section 6.10.5 Landscape and Biodiversity states that *“development which protects existing assets and delivers a significant net gain for biodiversity will be supported. All new development will be required to show how conservation of biodiversity is taken into account in its design and implementation, how additional habitat creation can be achieved through the green infrastructure network and in particular how priority habitats and species as identified in the Northamptonshire Biodiversity Action Plan will be safeguarded. Where adverse impacts are unavoidable and the proposal cannot be relocated, appropriate mitigation and compensatory measures will be required.”*

There are also a number of ‘saved’ policies from the local authorities, which relate to Biodiversity and which are outlined below.

Daventry District Council- Saved Policies (Sept 2007)

Policy GN1 ‘General’ states:

“The granting of planning permission for development will be guided by the need to

- a. Safeguard the natural resources of the district;*
- b. Protect and enhance the environment;*
- c. Make proper use of disused or underutilised land and buildings;*
- d. Concentrate development in or closely associated with the large and small towns;*
- e. Limit development in the villages;*
- f. Severely restrain development in the open countryside; and*
- g. Ensure that it is accessible by public transport where appropriate.”*

Policy EN1, ‘Special Landscape Areas’ states:

"In recognition of their special environmental qualities, certain areas are designated on the proposals map as special landscape areas. In these areas planning permission will normally be granted for development provided that:

- a. It comprises agricultural, forestry, recreation or tourism development; or*
- b. It relates to settlements within these areas. In assessing such proposals detailed design, materials, siting and in particular, landscaping, will be material considerations fundamental to the granting of planning permission; or*
- c. It relates to the re-use or adaptation of rural buildings provided their finished form, bulk and general design are in keeping with their surroundings; and*
- d. It does not adversely affect the character of the local landscape."*

Policy EN11, 'Rural Access Areas' states:

"Planning permission will not be granted for development on land in rural access areas, as identified on the proposals map, unless it would: -

- A. Not be discordant with the predominantly open/green nature and character of a rural access area by reason of appearance or use; and*
- B. Not compromise the wildlife value of a rural access area; and*
- C. Increase public access to a rural access area, and secure land use management arrangements are made to sustain public access in tandem with the development's operational use."*

Policy EN12, 'Green Links' states:

"Planning permission will not normally be granted for development which would encroach upon green links, as identified on the proposals map."

Policy EM4, 'Changes of Use on Industrial Estates' states:

"Planning permission will not be granted for the change of use of sites within industrial estates from uses within B1, B2, B8 to uses outside those classes."

9.5 Summary

The policy contained within the RSS requires development to protect and enhance biodiversity and cites the Northamptonshire Biodiversity Action Plan as a key reference.

10 Transport

10.1 Introduction

Transport is a significant contributor to UK greenhouse gas emissions and poor air quality in some urban areas. While legislation has meant that vehicles have become more efficient and cleaner, the rapid increase in overall vehicle numbers means that emissions are still rising steeply. Air travel is now the fastest growing source of greenhouse gas emissions and while planning has limited control over this, policy-making around airports and development locations can have an important impact.

Sustainability can only be delivered through measures that are secure over the long term. Growth plans should therefore provide and promote green travel from the outset by integrating sustainable travel choices into their planning and design process.

The Department for Transport state that in order to influence travel behaviour it is *“imperative that the future needs of a community are considered and captured through good quality planning before infrastructure is put in place. Opportunities must be taken within the planning process to make cycling, walking and public transport the modes of choice. These modes must be made more convenient for the majority of journeys than car usage, in order to promote genuine modal shift. They should be supported by the necessary management and regulatory measures (e.g. Traffic Regulation Orders)”*.

10.2 National

❖ Planning Policy Guidance 13: Transport, April 2001⁴⁰

The emphasis in PPG13, as set out in the Preface of the policy guidance, is to see integration of transport and land use planning. The aim is to reduce growth in the length and number of motorised journeys, encourage alternative means of travel which have less environmental impact and reduce reliance on the private car. The policy sets out the following key objectives:

- Promote more sustainable transport choices both for people and for moving freight;
- Promote accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling; and
- Reduce the need to travel, especially by car.

❖ Low Carbon Transport: A Greener Future, DECC July 2009

A key component of the Low Carbon Transition Plan, the *Low Carbon Transport: A Greener Future* is a strategy developed to reduce the carbon emissions from the transport sector which represents 21% of the total UK domestic emissions. The Strategy responds to the five-yearly carbon reduction targets set out to 2022 under the Climate Change Act 2008, by setting out actions to 2022 and outlining the longer term strategy through to 2050. The strategy aims to see decarbonised road and rail transport by 2050 and significant efficiencies realised in the aviation and shipping sectors.

Importantly the strategy also promotes a shift in the existing transport modal patterns, through providing lower carbon public transport, promoting better integration of transport modes and other sustainable modes such as cycling and more affordable public transport. The Strategy also commits to working with partners in regional and local authorities to identify where improvements can be made at a local level to facilitate a holistic and regional approach to implementing the priorities.

⁴⁰ PPG13 <http://www.communities.gov.uk/documents/planningandbuilding/pdf/155634>

It is forecast that the actions identified in the strategy are projected to result in 17.7 million tonnes CO₂ per year less than they would otherwise have been in 2020, equating to 85 million tonnes CO₂ in the 5 year budget period from 2018-2022.

❖ The Future of Transport: the Transport White Paper, July 2004⁴¹

The White Paper looks at the factors that will shape travel and transport over the next thirty years and sets out how the Government will respond to the increasing demand for travel, maximising the benefits of transport while minimising the negative impact on people and the environment. The strategy is built around three central themes:

- Sustained investment;
- Improvements in transport management; and
- Planning ahead.

10.3 Regional

❖ RSS Policy 1 – “Regional Core Strategy”

RSS Policy 1 – “Regional Core Strategy” sets out the following requirement for all strategies and plans that have a spatial impact, which makes specific reference to transport:

“To secure the delivery of sustainable development within the East Midlands, all strategies, plans and programmes having a spatial impact should meet the following core objectives:

- *i) To reduce the causes of climate change by minimising emissions of CO₂ in order to meet the national target through ensuring that new development, particularly major traffic generating uses, is located so as to reduce the need to travel, especially by private car.”*

❖ The RSS Policy 2 – “Promoting Better Design”

RSS Policy 2 also sets out a requirement for the promotion of sustainable transport stating:

“The layout, design and construction of new development should be continuously improved, including in terms of reducing CO₂ emissions and providing resilience to future climate change, by:

Locating and designing access from new development to local facilities on foot, by cycle or by public transport; highway and parking.”

❖ The RSS Policy 43 – “Regional Transport Objectives”

The regional transport objectives considered most relevant to sustainability are as follows: *“The development of transport infrastructure and services across the Region should be consistent with the following Objectives:*

- 1. To support sustainable development in the Region’s Principal Urban Areas, Growth Towns and Sub-Regional Centres described in Policy 3;*
- 6. To reduce traffic growth across the Region; and*
- 7. To improve air quality and reduce carbon emissions from transport by reducing the need to travel and promoting modal shift away from the private car, (particularly towards walking, cycling and public transport and away from other road based transport) and encouraging and supporting innovative transport technologies”.*

❖ RSS Policy 46 – “A Regional Approach to Behavioural Change”

⁴¹Transport White Paper <http://www.dft.gov.uk/pdf/about/strategy/whitepapers/fot>

Policy 46 sets out the following requirements which are relevant to both future plan making and development control. It states:

“The Regional Planning Body, with Government, public and local bodies and service providers, should work together to implement measures for behavioural change to encourage a reduction in the need to travel and to change public attitudes toward car usage and public transport, walking and cycling. Such measures should be co-ordinated with the implementation of other policies in the RTS and in Local Transport Plans and Local Development Frameworks, and should include:

- *Developing and enforcing Travel Plans for both new and existing developments to reduce traffic movements and safeguard transport infrastructure;*
- *Quality public transport partnerships;*
- *Travel awareness programmes;*
- *Educational programmes;*
- *Pilot projects promoting innovations in teleworking and personalised travel plans;*
- *Reducing speed limits where appropriate to increase safety for all road users; and*
- *The provision of safe routes for pedestrians and cyclists, convenient access to buildings and sufficient secure cycle parking in new developments.”*

❖ RSS Policy 48 – “Regional Car Parking Standards”

Policy 48 details the car parking standard that should be enforced through development control. It states:

“Car parking facilities in excess of the maximum standards in PPG13 should only be provided in exceptional circumstances.

In the Region's Principal Urban Areas and Growth Towns, net increases in public car parking not associated with development should only be permitted where it is demonstrated that:

- *Adequate public transport, cycling or walking provision cannot be provided or a shortage of short stay parking is the principal factor detracting from the vitality and viability of an area; or*
- *Excessive on-street parking is having an adverse effect on highway safety or residential amenity which cannot be reasonably resolved by other means; or*
- *The nature of new car parking can shift from long stay spaces to high quality short stay provision; or*
- *It is linked to public transport provision, for example as part of a park and ride scheme.”*

❖ RSS Policy 49 – “A Regional Approach to Improving Public Transport Accessibility”

This policy has relevance to the strategic planning decisions that WNDC is required to take. It states that:

“Local Authorities and service operators should promote improvements in public transport accessibility by using the Regional Public Transport Network defined in Diagram 7 [please see the RSS for the diagram] in order to:

- *Inform strategic development decisions as part of the local development framework process; and*
- *Promote and market the use of public transport generally.”*

❖ RSS Policy 52 – “Regional Priorities for Integrating Public Transport”

The following points relevant to development control are required by policy 53:

“Local Planning Authorities, Local Transport Authorities and public transport service providers should:

- *Promote safe and convenient access on foot and by cycle to public transport services;*
- *Consider settlements with existing or proposed public transport interchange facilities as locations for new development, and;*
- *Promote the development of new park and ride facilities in appropriate locations to reduce traffic congestion on routes into the region’s principal urban areas and along strategic transport corridors”.*

10.4 Local

The saved policies at the local level do not set strong requirements for sustainable transport. However, the emerging Joint Core Strategy sets out a stronger approach:

The West Northamptonshire Emergent Joint Core Strategy (July 2009)

Section 6.6 Sustainable Transport

Section 6.6 of the EJCS covers Sustainable Transport and has proposed the following policy approach which should be enforced through development control:

“6.6.3 Sustainable Transport

Transport and movement will be dealt with in a clear hierarchy, with respect to National Guidance. Our approach is:

- *To locate development to create compact centres using existing networks;*
- *To reduce the need to travel by meeting day-to-day needs within developments and the local area;*
- *To maximise the use of walking and cycling- especially for short trips;*
- *To promote the use of the bus, and other public transport, as a realistic alternative to the private car;*
- *To provide the infrastructure to enable an efficient, public transport network; and*
- *To maximise and utilise the existing capacity of infrastructure and, where necessary, provide new road infrastructure to enable development”.*

Daventry District Council- Saved Policies (Sept 2007)

Policy CM7 - Public Transport Provisions states that *“the granting of planning permission for development will be dependent on provision being made for public transport, where appropriate”.*

South Northamptonshire Council- Saved Policies (Sept 2007)

Policy G3 states:

“Planning permission will normally be granted where the development does not unduly affect the existing or proposed transportation network and is where appropriate, accessible by public transport”.

10.5 Summary

Strong policy support is given to the requirements of sustainable transport at the local and regional level and should be reflected in planning decisions.

11 Community Investment

11.1 Introduction

There are numerous government policies aimed at building thriving communities. Delivering on these is critical to the Government's aim of building sustainable communities. Planning for sufficient new housing, for communities where people enjoy living and can live sustainably, is a key policy aim.

Inclusive design is a key component of integrated communities. This is reflected in the CLG strategy 'Sustainable Communities: Homes for all - A Five Year Plan from the Office of the Deputy Prime Minister' (January 2005), in planning policy guidance, and by the many organisations working at a community level to ensure that this is achieved.

For the purposes of this study the community investment policy review has focused on the soft qualitative criteria contained within national, regional and local planning policy. A review has not been undertaken of known published guidelines under this topic.

Community Investment is defined for the purposes of this study by the following objectives which are detailed in Sustainable Communities in the East Midlands Building for the Future (Feb 2003). They are investments that:

- Are economically prosperous;
- Have decent homes at a price people can afford;
- Safeguard the countryside;
- Enjoy a well-designed, accessible and pleasant living and working environment; and
- Are effectively and fairly governed with a strong sense of community.

11.2 National

❖ PPS3: Housing, November 2006⁴²

PPS3 sets out national planning policies for housing. The PPS requires that planners consider the functioning of housing markets and appropriate densities in developing planning policy. It also advises that LPAs should encourage applicants to bring forward sustainable and environmentally friendly new housing developments. In addition, it sets out the following criteria for local authorities to consider when assessing the design quality of proposed developments:

- *"Is easily accessible and well connected to public transport and community facilities and services, and is well laid out so that all the space is used efficiently, is safe, accessible and user friendly;*
- *Provides, or enables good access to, community and green and open amenity and recreational space (including play space) as well as private outdoor space such as residential gardens, patios and balconies;*
- *Is well integrated with, and complements, the neighbouring buildings and the local area more generally in terms of scale, density, layout and access;*
- *Facilitates the efficient use of resources, during construction and in use, and seeks to reduce the impact of, and on, climate change;*
- *Takes a design led approach to the provision of car parking spaces, which is well integrated with a high quality public realm and streets that are pedestrian, cycle and vehicle friendly;*

⁴² PPS3 <http://www.communities.gov.uk/documents/planningandbuilding/pdf/planningpolicystatement3.pdf>

- *Creates, or enhances a distinctive character and relates well to the surroundings and supports a sense of local pride and civic identity; and*
- *Provides for the retention or re-establishment of the biodiversity within the residential environments”.*

❖ PPG13: Transport, 2001

PPG13 states: “*Development plans should also contain clear, comprehensive and inclusive access policies - in terms of both location and external physical access. Such policies should consider people's diverse needs and aim to break down unnecessary barriers and exclusions in a manner that benefits the entire community.*”

❖ PPG17: Planning for open space, sport and recreation, 2002⁴³

PPG17 sets out the Government objectives for open space, sport and recreation which include supporting an urban renaissance, supporting a rural renewal, promotion of social inclusion and community cohesion, health and well being and promoting more sustainable development.

❖ Sustainable Communities: Home for All - A Five Year Plan from the Office of the Deputy Prime Minister, January 2005⁴⁴

This five year plan has been prepared by the Government to offer everyone the opportunity of a decent home at a price they can afford. It includes measures to deliver new homes while protecting the environment; help for 80,000 first time buyers and key workers to own a home; Homebuy, which could enable up to 300,000 social tenants to buy a share in their home; moveUK, a new system bringing together information about jobs and homes; extending choice-based lettings nationwide; and action to halve numbers living in temporary accommodation by 2010. In the view of the Government, sustainable communities should be:

- Active, inclusive and safe – fair, tolerant and cohesive with a strong local culture and other shared community activities;
- Well run – with effective and inclusive participation, representation and leadership;
- Environmentally sensitive – providing places for people to live that are considerate of the environment;
- Well designed and built – featuring a quality built and natural environment;
- Well connected – with good transport services and communication linking people to jobs, schools, health and other services;
- Thriving – with a flourishing and diverse local economy;
- Well served – with public, private, community and voluntary services that are appropriate to people's needs and accessible to all;
- Fair for everyone – including those in other communities, now and in the future.

❖ The Sustainable Communities Plan, February 2003⁴⁵:

The Sustainable Communities Plan, discussed in Chapter 3, also has relevance to Community Investment.

The Deputy Prime Minister launched the Sustainable Communities Plan (Sustainable Communities: Building for the future) on 5 February 2003. The Plan sets out a long-term programme of action for delivering sustainable communities in both urban and rural areas. It

⁴³ PPG17 <http://www.communities.gov.uk/documents/planningandbuilding/pdf/ppg17.pdf>

⁴⁴ Sustainable Communities <http://www.communities.gov.uk/documents/corporate/pdf/homes-for-all.pdf>

⁴⁵ Sustainable Communities Plan

<http://www.communities.gov.uk/publications/communities/sustainablecommunitiesbuilding>

aims to tackle housing supply issues in the South East, low demand in other parts of the country, and the quality of our public spaces.

This document included Regional Action Plan, which along with the national document, set out the policies, resources and partnerships with the aim of achieving: “*successful, thriving communities in every part of the country*”.

The action plan for the South Midlands is discussed in the regional section below.

11.3 Regional

❖ Sustainable Communities in the East Midlands Building for the Future, February 2003

The Sustainable Communities in the East Midlands Action Plan is broken down under the following headings:

- Planning;
- Housing;
- Transport;
- Economic Growth and Skills;
- Taking Deprivation and Renewing Communities; and
- Liveability.

The action plan points under the planning heading include a number of points which have now been addressed through the finalised RSS. Those still considered of relevance to WNDC are as follows:

- *“We will ensure that where possible major investment proposals are steered towards disadvantaged areas;*
- *We will encourage local authorities in the major cities and towns to promote urban renaissance in partnership with other public agencies and the private sector.;*
- *In rural areas we will encourage partners to make efforts to improve access to services such as rural post offices and village shops. In addition we will ensure through planning policies that employment opportunities can be broadened;*
- *We have set a target in RPG8 for 60% of all new housing, including conversions, to be provided on brownfield sites; and*
- *We want local assessments of urban housing capacity to be undertaken across the region so that fewer greenfield sites need to be allocated in local plans as, for example, in Lincoln and its surrounding area.”*

❖ The East Midlands Regional Plan, March 2009

The following policies are contained within the RSS which relate to community investment as defined in the Introduction Section above:

RSS Policy 1 – “Regional Core Strategy” sets out the following requirement for all strategies and plans that have a spatial impact, which makes specific reference to matters relating to Community Investment

“To secure the delivery of sustainable development within the East Midlands, all strategies, plans and programmes having a spatial impact should meet the following core objectives:

- a) *To ensure that the existing housing stock and new affordable and market housing address need and extend choice in all communities in the region.*
- b) *To reduce social exclusion through:*
 - *The regeneration of disadvantaged areas;*

- *The reduction of inequalities in the location and distribution of employment, housing, health and other community facilities and services and by;*
- *Responding positively to the diverse needs of different communities.*

d) *To improve the health and mental, physical and spiritual well being of the Region's residents through improvements in:*

- *Air quality;*
- *'Affordable warmth';*
- *The availability of good quality housing; and*
- *Access to health, cultural, leisure and recreation facilities and services.*

e) *To improve economic prosperity, employment opportunities and regional competitiveness through:*

- *The improvement of access to labour and markets; and*
- *Ensuring that sufficient good quality land and premises are available to support economic activity in sectors targeted for growth by the Regional Economic Strategy.*

f) *To improve accessibility to jobs, homes and services through the:*

- *Promotion and integration of opportunities for walking and cycling;*
- *Promotion of the use of high quality public transport; and*
- *Encouragement of patterns of new development that reduce the need to travel especially by car.*

Policy 14 "Regional Priorities for Affordable Housing" states:

"Local Development Frameworks, housing strategies and investment plans should have regard to the priorities identified in the Regional Housing Strategy, and include policies seeking the provision of a mix of dwellings in terms of size, type, affordability and location, having regard to the existing local stock, in order to help create inclusive communities which provide wider housing opportunity and choice. As part of their Local Development Frameworks local planning authorities should adopt affordable housing targets in line with the conclusions of the most up to date Housing Market Area Assessments for their area".

An indicative housing target has been provided for the Housing Management Area of West Northamptonshire of 17,900.

Policy 15 "Regional Priorities for Affordable Housing in Rural Areas" sets out the following targets for rural areas:

"New housing in rural areas should contribute to:

- *Addressing affordability issues by providing appropriate levels of housing in suitable locations;*
- *Creating sustainable rural communities through a choice of well designed homes; and*
- *Local authorities and housing providers should use all available policy mechanisms to provide affordable homes in rural areas, including those listed in paragraph 3.1.14 [refer to the RSS]"*

Policy 18 “Regional Priorities for the Economy” requires:

“Local authorities in all parts of the region should work together with EMDA and other organisations with relevant responsibilities to encourage and foster the regional economy through implementing the Regional Economic Strategy. It will be especially important to raise skill levels, develop the service sector and high value manufacturing and create innovative businesses, so that the region is better placed to maintain economic competitiveness”.

11.4 Local

The following list of local policy and guidance is relevant to the issues of community investment and supports the Government’s vision for a sustainable community:

The Emergent Joint Core Strategy (EJCS) (July 2009) has the following objectives which it is consulting on that relate to community investment:

Objective 2 - Para 5.3.3:

“To exploit West Northamptonshire's position internationally for economic advantage by facilitating significant employment growth and opportunities for knowledge based industries and environmental technologies.”

Objective 3 – Para 5.3.4:

“To support existing and new communities through the provision of education, health, community, leisure, cultural and social facilities, linking new and existing communities physically and socially.”

Objective 9 – Para 5.3.10:

“To contribute towards raising educational achievement and the skills base of our communities through supporting schools, colleges and the University in their provision and development.”

Objective 12 - Para 5.3.13:

“To provide quality housing to meet current and future needs of all sectors of our communities.”

Objective 16 – Para 5.3.17:

“To achieve high quality design that takes account of character and local distinctiveness, enables access and promotes community safety.”

❖ Section 6.5 Employment in Growth Areas

Section 6.4 of the EJCS covers Employment in Growth Area and has proposed the following policy approach which relates to the objective of economic prosperity:

“It is nonetheless crucial that Joint Core Strategy Employment Policy ensures that expanding employment growth in the area is not constrained to the extent that a large proportion of latent market demand is 'pushed' away from West Northamptonshire due to unavailable and unsuitable sites.”

The EJCS makes reference to the Joint Affordable Housing and Developer Contributions Development Plan which is understood to be in development and has not been reviewed at this stage.

The following ‘saved’ Local Plan policies which relate to the objectives of community investment have been reviewed:

Northampton Borough Council – saved policies of the Local Plan (1997):

"Policy E40: Crime and vandalism

Planning permission will not be granted for development unless its design, layout and landscaping pay adequate regard to the need to deter crime and vandalism.

Policy H14: Residential development, open space and children's play facilities

Where the council considers that amenity open space should be provided in association with new residential development by reason of the location, scale and character of the site, planning permission will not be granted unless facilities for children's play are accommodated within the amenity open space.

Policy L4: New local recreational land

Planning permission will not be granted for any major residential development of over 1000 dwellings unless provision is made for public sports facilities in accordance with a standard of 1.6 hectares of land per 1000 population to include:

- The laying out of playing fields or an agreed alternative artificially surfaced playing area; or*
- The construction of associated changing facilities and/or a car/coach parking area and secure cycle parking; and*
- Reliable provisions for the long term maintenance of the playing field and any associated built facilities".*

South Northampton Council (Saved Policies)

Policy H7 states:

"Where there is a demonstrable lack of affordable housing for sale or rent to meet local needs, the council will negotiate with developers to secure an element of affordable housing within large residential development schemes. The council will need to be satisfied that such affordable housing:

- i) Is economically viable in terms of its ability to meet the local needs identified;*
- ii) Will be available to meet local needs over the long term through secure arrangements being made to restrict the occupancy of the development."*

Policy R6 states:

"In the open countryside planning permission will normally be granted for a small scale retail development for tourism or recreational purposes. Preference will be given to a proposal which makes use of an existing building in accordance with policies EV16 and EV17."

Daventry District Council (Saved Policies)

Policy TM2 states:

"Planning permission will normally be granted for tourist attractions comprising entertainment facilities, places of tourist interest, conference centres and tourist accommodation, including hotels, guest houses, self catering and farm-based accommodation, but excluding caravans and camping sites, provided that:

- a. In the open countryside such development does not comprise new buildings;*
 - b. In the restraint villages relates to the re-use of buildings where the development would be of benefit to the village environment;*
 - c. In the remainder of the rural settlements of the district relates to the reinstatement or conversion of existing buildings and to small scale purpose built facilities which fall within the existing confines of the settlement; and*
 - d. In the town of Daventry relates to facilities within the town or to purpose-built facilities which lie on appropriate edge of town sites."*
-

11.5 Summary

It is considered that the community investment policy at the local level is not as strong or prescriptive as that provided at the regional level. Therefore, the requirements set out in the RSS should be considered in future plan making and for the purposes of development control.

12 Conclusion

The science and technology behind sustainable development are fast moving. Driven by our ever improving understanding of the interrelationships between society, the environment and economy, policy and legislation is informing how planning and decision-making respond. The speed at which things change can be seen by the very recent nature of much of the policy and advice coming from Government. In many cases white papers or Planning Policy Statements have replaced or superseded earlier versions.

This document has sought to provide an impartial review of relevant national, regional and local sustainability policy. The document is designed to be used as a background tool in the Development Control process and is targeted primarily at Development Control (DC) Officers, Applicants and Agents.

The evolution of local planning policy and subsequent decision-making is often much slower than at the national level and this is reflected in some of the policy documents reviewed in this report. Most authorities have adopted policies that address energy efficiency and generation. These generally respond to the positive language of PPS22 and include more recent policy innovations in the PPS1 supplement requiring consideration of decentralised renewable and low carbon energy generation or achievement of levels of the Code for Sustainable Homes.

However, none yet respond well to the PPS1 supplement on Planning and Climate Change. No doubt the emerging Joint Core Strategy will better reflect the PPS with its broader definition of planning for energy and the requirement for a strong evidence base to support policy decisions. Furthermore, the PPS supplement will influence most if not all policy areas. For instance, transport is a key area. While some existing local policies respond well to the now well established PPG13 (published in 2001), the PPS1 supplement together with potentially sustained high oil prices provide additional impetus.

The delay in local policy reflecting national policy or aspirations however, should not be used as a reason for inaction in decision-making. The UK has had a sustainable development strategy for many years. The achievement of sustainable development has been enshrined in legislation since 2004 (in the Planning and Compulsory Purchase Act) as the central purpose of the planning system.

While deciding what constitutes 'sustainable' can be difficult and often somewhat intangible, more specific Government policy and advice on particular aspects (such as that provided by the PPS1 supplement) can help. For example, future policy iterations at regional and local levels are increasingly likely to refer to the achievement of CO₂ reduction, modal split or low carbon energy targets. Supported by robust, evidence-based policies, these can provide a basis for local decision-making. The area of energy and climate change is evolving particularly fast. The July 2009 Renewable Energy Strategy will have significant further implications for regional and local planning and decision-making; not least with a new PPS to replace and combine the PPS1 supplement and PPS22. A draft PPS is expected in the autumn of 2009.

In the meantime, decisions taken on planning applications are still able to prioritise sustainable development. The East Midlands Regional Plan forms part of the development plan and contains policies setting out sustainable development, better design and to some extent reflect the requirements of the PPS1 supplement. For example, energy generation targets are included and policies relate to the need to promote low carbon and renewable energy technologies and infrastructure.

Importantly, national policy can also be used as a material consideration. The PPS1 supplement says that *"in considering planning applications before Regional Spatial Strategies (RSSs) and Development Plan Documents (DPDs) can be updated to reflect this PPS, planning authorities should have regard to this PPS as a material consideration which may supersede the policies in the development plan. Any refusal of planning permission on grounds of prematurity because a DPD is being prepared or is under review but has not yet been adopted should be consistent with Government policy."* (Paragraph 11)

It is clear therefore that decision-makers at WNDC have scope to use the most up to date national planning policy to determine planning applications alongside adopted policies in

development plans. However, since PPS are designed to guide regional and local plan-making and do not provide detail for decision-making it may still be difficult to make justifiable decisions without the necessary local evidence base and their use is likely to be limited to major applications in most cases. The existence of an up-to-date Joint Core Strategy that supports WNDC's sustainability objectives is therefore crucial.

WNDC should seek to work closely with the Joint Planning Unit to make sure this happens. They should encourage them to learn from best examples around the country, but also to think creatively about how they become leaders themselves.

Appendix A: Quick Reference Guide

Policy Area	Planning Body	Policy	Section
General Guidance on Sustainable Development			
National	HM Government ODPM (now Communities and Local Government) Parliament Communities and Local Government	UK Sustainable Development Strategy, 2005 Planning for a Sustainable Future – White Paper, 2007 Sustainable Communities Plan, 2003 The Planning Acts Housing Green Paper, 2007 PPS1: Delivering Sustainable Development (2005) PPS1: Supplement on Planning and Climate Change (2007) Eco-towns Supplement to PPS1 1 (2009) PPS7: Sustainable Development in Rural Areas (2004)	2.2
Regional/ Sub-regional	Government Office for the East Midlands (RSS, 2009) Milton Keynes & South Midlands Sub-Regional Strategy (2005)WNDC WNDC EMRA ODPM (now Communities and Local Government)	Policy 1: Regional Core Objectives Policy 2: Promoting Better Design Policy 3: Sustainability Criteria Strategic Policy 3: Sustainable Communities Manual for Design Codes Sections 3 and 14 Planning Principles Document East Midlands Integrated Toolkit Sustainable Communities in the East Midlands, Building for the Future, February 2003	2.3
Local	West Northamptonshire Joint Planning Unit (JPU)	Emergent Joint Core Strategy July 2009	2.4
Climate Change and Energy			
National	HM Government	UK Low Carbon Transition Plan 2009 UK Renewable Energy Strategy (2009) Draft Heat and Energy Saving Strategy, February 2009 The Planning Act, 2008 The Climate Change Act, 2008 The Energy Act, 2008 The UK Climate Change Programme (2006) Meeting the Energy Challenge – the Energy	3.2

	Communities and Local Government	White Paper (May 2007) Supplement to PPS1: Planning and Climate Change (2007) PPS22: Renewable Energy (2004)	
Regional	Government Office for the East Midlands RSS	RSS Policy 1: Core Strategy RSS Policy 2: Promoting Better Design RSS Policy 28: Core Strategy Regional Priorities for Environmental and Green Infrastructure RSS Policy 39: Regional Priorities for Energy Reduction and Efficiency RSS Policy 40: Regional Priorities for Low Carbon Energy Generation	3.3
Local	West Northamptonshire Joint Planning Unit (JPU) Northampton Borough Council South Northamptonshire Council and Daventry District Council	The Emergent Joint Core Strategy July 2009 Sections 5.3 and 6.10 Policy E39: Renewable Energy Energy and Development SPD, March 2007	3.4
Water Supply and Conservation			
National	Defra Defra and CLG	Future Water: Water Strategy for England (2008) Water efficiency and new buildings (July 2007)	4.2
Regional	Environment Agency Government Office for the East Midlands RSS, 2009	Water Resources for the Future: A Strategy for the East Midlands (2001) Policy 1 – Regional Core Strategy Policy 2 – Promoting Better Design Policy 32 – A Regional Approach to Water Resources and Water Quality	4.3
Local	West Northamptonshire Joint Planning Unit (JPU)	The Emergent Joint Core Strategy July 2009 Section 6.10	4.4
Flood Risk and Sustainable Drainage			
National	Communities and Local Government	PPS25: Development and Flood Risk (2006)	5.2
Regional	Government Office for the East Midlands (RSS, 2009)	Policy 1 – Regional Core Strategy Policy 2 – Promoting Better Design RSS Policy 35 – A Regional Approach to	5.3

		Managing Flood Risk	
Local	West Northamptonshire Joint Planning Unit (JPU)	The Emergent Joint Core Strategy Section 5.3 and 6.10	5.4
Sustainable Design and Construction			
National	DETR (now Communities and Local Government) CLG	Building a Better Quality of Life – a Strategy for More Sustainable Construction (2000) Supplement to PPS1: Planning and Climate Change (2007)	6.2
Regional	Government Office for the East Midlands RSS, 2009 WNDC	Policy 1 – Regional Core Strategy Manual for Design Codes Sections 3	6.3
Local	n/a		6.4
Sustainable Waste Management			
National	Defra BERR Communities and Local Government Office of Public Sector Information	UK Waste Strategy for England (2007) UK Strategy for Sustainable Construction, 2008 PPS10: Planning for Sustainable Waste Management (2005) Site Waste Management Plans Regulations (2008)	7.2
Regional/ Sub-Regional	Government Office for the East Midlands RSS, 2009 WNDC	Policy 1 – Regional Core Strategy Policy 2 –Promoting Better Design Policy 27 – Regional Priorities for the Historic Environment Policy 38- Regional Waste Strategy Manual for Design Codes Sections 3 and 14	7.3

Local	<p>Northamptonshire County Council</p> <p>Northampton Borough Council Waste Local Plan (2006)</p> <p>Daventry District Council-Saved Policies Sept 2007</p> <p>South Northamptonshire Council Saved Polices Sept 2007</p>	<p>Northamptonshire Minerals and Waste Development Framework: Core Strategy Submission, December 2008</p> <p>Policy CS1: Northamptonshire's waste management capacity</p> <p>Policy CS7: Sustainable design and use of resources</p> <p>Northamptonshire Minerals and Waste Development Framework: Development and Implementation Principles SPD (March 2007)</p> <p>Policy 1: Principles for Waste Development</p> <p>Policy 4: Development of Local Waste Facilities</p> <p>Policy 5: Development-related Waste Minimisation</p> <p>Policy 6: The Integration of Neighbourhood Waste Facilities with Other Development</p> <p>Policy 7: Design</p> <p>Policy 9: Natural and Historic Environment- Local Landscape Character</p> <p>Policy 10: Natural and Historic Environment- National and International Designations and Protected Species</p> <p>Policy 11: Natural and Historic Environment- Local Designations</p> <p>Policy 13: Water Resources and Flooding</p> <p>Policy 16: Restoration, Aftercare and After-Use</p> <p>Policy 17: Waste Transfer, Recovery and Recycling</p> <p>Policy 18: Composting</p> <p>Policy 19: Anaerobic Digestion</p> <p>Policy 20: Waste to Energy Recovery</p> <p>Policy EN42 'Design of Development'</p> <p>Policy EV7 and Policy EV9</p>	7.4
Pollution of Air, Water and Land			
National	<p>Defra</p> <p>Communities and Local Government</p>	<p>Air Quality Strategy (2007)</p> <p>PPS23: Planning and Pollution Control (2004)</p>	8.2
Regional	Government Office for the East Midlands, RSS 2009	Policy 1 – Regional Core Strategy	8.3

		<p>Policy 2 –Promoting Better Design</p> <p>Policy 32 - A Regional Approach to Water Resources and Water Quality</p> <p>Policy 36, 'Regional Priorities for Air Quality</p>	
Local	<p>South Northamptonshire Council Sept 2007</p> <p>West Northamptonshire Joint Planning Unit (JPU)</p>	<p>Policy G3 and Policy EV25</p> <p>Emergent Joint Core Strategy July 2009</p> <p>Objective 10 and Section 6</p>	8.4
Biodiversity and Land Use			
National	<p>Defra</p> <p>Communities and Local Government</p>	<p>UK Biodiversity Action Plan</p> <p>PPG2: Green belts (1995)</p> <p>PPS9: Biodiversity and Geological Conservation (2005)</p> <p>PPS1: Delivering Sustainable Development (2005)</p> <p>PPS3: Housing (2006)</p>	9.2
Regional	<p>Government Office for the East Midlands, RSS 2009</p>	<p>Policy 1 – Regional Core Strategy</p> <p>Policy 26, Protecting and Enhancing the Region's Natural and Cultural Heritage</p> <p>Policy 28: Priorities for Enhancing the Region's Biodiversity</p> <p>Policy 29: A Regional Target for Increasing Woodland Cover</p> <p>RSS Policy 30, Regional Priorities for Managing and Increasing Woodland Cover</p> <p>Policy 31, Priorities for the Management and Enhancement of the Region's Landscape</p>	9.3
Local	<p>West Northamptonshire Joint Planning Unit (JPU)</p> <p>Daventry District Council-Saved Policies (Sept 2007)</p>	<p>Emergent Joint Core Strategy July 2009</p> <p>Section 6.10</p> <p>Policy GN1 'General'</p> <p>Policy EN1, 'Special Landscape Areas'</p> <p>Policy EN11, 'Rural Access Areas'</p> <p>Policy EN12, 'Green Links'</p> <p>Policy EM4, 'Changes of Use on Industrial Estates'</p>	9.4
Transport			
National	<p>DECC</p> <p>Department for Transport</p> <p>HM Government</p>	<p>Low Carbon Transport: A Greener Future</p> <p>The Future of Transport: the Transport White Paper (2004)</p> <p>PPG13: Transport (2001)</p>	10.2
Regional	<p>Government Office for the East Midlands, RSS 2009</p>	<p>Policy 1: Regional Core Strategy</p> <p>Policy 2: Promoting Better Design</p> <p>Policy 43: Regional Transport Objectives</p>	10.3

		<p>Policy 46: A Regional Approach to Behaviour Change</p> <p>Policy 45: Behavioural Change</p> <p>Policy 48: Regional Car Parking Standards</p> <p>Policy 49: A Regional Approach to Improving Public Transport Accessibility</p> <p>Policy 52: Regional Priorities for Integrating Public Transport</p>	
Local	<p>West Northamptonshire Joint Planning Unit (JPU)</p> <p>Daventry District Council</p> <p>South Northamptonshire Council</p>	<p>Emergent Joint Core Strategy July 2009 Section 6.6</p> <p>Policy CM7 - Public Transport Provisions</p> <p>Policy G3</p>	10.4
Community Investment			
National	<p>Communities and Local Government</p> <p>Office of the Deputy Prime Minister</p>	<p>PPG13: Transport (2001)</p> <p>PPG13: Transport (2001)</p> <p>PPS3: Housing (2006)</p> <p>PPG17: Planning for open space, sport and recreation (2002)</p> <p>Sustainable Communities: Home for All - A Five Year Plan 2005</p> <p>The Sustainable Communities Plan, February 2003</p>	11.2
Regional/ Sub-Regional	<p>ODPM (now Communities and Local Government)</p> <p>Government Office for the East Midlands, RSS 2009</p>	<p>Sustainable Communities in the East Midlands Building for the Future, February 2003</p> <p>Policy 1: Regional Core Objectives</p> <p>Policy 14 Regional Priorities for Affordable Housing</p> <p>Policy 15 Regional Priorities for Affordable Housing in Rural Areas</p>	11.3
Local	<p>West Northamptonshire Joint Planning Unit (JPU)</p> <p>Northampton Borough Council (Local Plan Saved Policy, 1997)]</p> <p>South Northampton Council</p> <p>Daventry District Council</p>	<p>Emergent Joint Core Strategy July 2009 Objective 2,3,9,12,16, Section 6.5</p> <p>Policy E40: Crime and vandalism</p> <p>Policy H14: Residential development, open space and children's play facilities</p> <p>Policy L4: New local recreational land</p> <p>Policy H7 and R6</p> <p>TM2</p>	11.4