

Appendix 8.1: Planning Policy Context

Climate change is considered to be a global issue as GHG emissions from anywhere in the world contribute to global warming, which is likely to lead to more extreme weather events in the future. For this reason, this section identifies and describes legislation, policy and guidance of relevance to the assessment at the international, national and local levels.

International Legislation

GHG emissions are not geographically limited; they have a global effect rather than directly affecting any specific local or national receptor (these long-term shifts are referred to colloquially as 'global warming'). This chapter therefore considers international legislative framework to which the United Kingdom is a signatory.

Kyoto Protocol

This is an international agreement which is linked to the United Nations Framework Convention on Climate Change (UNFCCC) and was signed in Kyoto, Japan in December 1997. This agreement committed its Parties to set internationally binding emission reduction targets. Under Article 4 of the Kyoto Protocol, the EU created an Effort Sharing Regulation that requires the setting of individual binding GHG emission reduction targets for each of its Member States. The current Effort Sharing Decision (ESD) commits the UK to a 37% reduction in GHG emissions for the period 2021 to 2030 (Regulation (EU) 2018/842, 2018)¹.

The Conference of the Parties (COP) are the formal meetings whereby signatories to the Kyoto Protocol negotiate legally binding GHG emission reduction targets.

Paris Agreement

The Paris Agreement was the first universal, legally binding global climate change agreement, adopted at the Paris climate conference ('COP21') in December 2015. The EU and its Member States, which the UK was at the time, were among the 190 Parties signed to fulfilling the obligations of the Paris Agreement. The EU formally ratified the agreement on 5 October 2016, thus enabling its entry into force on 4 November 2016. For the agreement to enter into force, at least 55 countries representing at least 55% of global emissions had to deposit their instruments of ratification.

The Paris Agreement² set out a global framework to avoid dangerous climate change by limiting global warming to well below 2 degrees Celsius (°C) and pursuing efforts to limit it to 1.5°C. It also aims to strengthen countries' ability to deal with the impacts of climate change and support them in their efforts.

'COP26' took place in Glasgow between 31 October to 12 November 2021 with the stated goal of securing global net zero by the mid-21st century and keep a maximum of 1.5°C degrees of warming within reach. As part of COP26 the UK signed up to the Glasgow Climate Pact³, whose

¹ European Environment Agency (2018) Regulation (EU) 2018/842. Available from: <https://www.eea.europa.eu/policy-documents/regulation-eu-2018-842>

² United Nations Climate Change (2015): The Paris Agreement. Available from: <https://unfccc.int/process-and-meetings/the-paris-agreement/the-paris-agreement>

³ Gov.uk (2021) Glasgow Climate Pact keeps critical 1.5C global warming goal alive. Available from: <https://www.gov.uk/government/news/pm-glasgow-climate-pact-keeps-critical-15c-global-warming-goal-alive>

signatories committed to building resilience to climate change and curbing GHG emissions to help limit global warming to 1.5°C.

COP27 (Egypt, November 2022) advanced some matters but on others failed to drive ambition towards the sort of climate action required to keep alive the possibility of restricting climate change within the envelope of the Paris agreement. Most critically, the United Nations confirmed that the global trajectory to 1.5°C was failing.

Recent UK weather trends and global crises have shown us that we have the solutions to create a better built environment. The importance of adaption and resilience within the built environment sector has therefore been thrust forward following a spate of climate-change induced natural disasters and building efficiency in the wake of the global energy crisis. As the implementation phase begins, integrity and accountability will be ever more critical.

Since the conclusion of COP27, the UK Green Building Council (UKGBC) has called upon the government to uphold its position as a global climate leader and set out long-range policies. The recent launch of its coalition to deliver a 'UK Net Zero Carbon Buildings Standard (NZCBS)' will provide a *"single agreed definition and methodology for the industry to determine what constitutes a net zero carbon building"*. The role of building performance will become vital in tackling climate crisis. Building performance regulations are a necessary and critical means to meet the target. With only 43 countries implementing mandatory green building codes for both residential and non-residential properties in 2020 (most of which are insufficiently net zero aligned) this is a major gap to drive the necessary rate of change.

COP28 (Dubai, December 2023) marked the conclusion of the first 'global stocktake' of the world's efforts to address climate change under the Paris Agreement. This stocktake is a process for countries and stakeholders to see where they are collectively making progress towards meeting the goals, and where they are not. COP28 culminated with an agreement by governments to speed up the transition away from fossil fuels to renewables such as wind and solar power in their next round of climate commitments.

Directive 2011/92/EU on the Assessment of the Effects of Certain Public and Private Projects on the Environment

European Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment (the EIA Directive⁴) provides the overarching legislative framework for assessing the significance of impacts and effects from schemes on the environment.

Under an amendment to the EIA Directive (2014/52/EU⁵) EIAs must now identify, describe and assess the direct and indirect significant effects of a project on climate (Article 3). It also stipulates that the information to be included within the ES should include *"the impact of the project on climate (for example the nature and magnitude of GHG emissions) and the vulnerability of the project to climate change"* (Annex IV). This Directive has been fully transposed into UK law through the EIA Regulations¹.

⁴ Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the Assessment of The Effect of Certain Public and Private Projects on The Environment. Available from: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32011L0092>

⁵ Directive 2014/52/EU of the European Parliament and of the Council of 16 April 2014 amending Directive 2011/92/EU on the Assessment of The Effect of Certain Public and Private Projects on The Environment (2014). Available from: <https://eurlex.europa.eu/legalcontent/EN/TXT/PDF/?uri=CELEX:32014L0052&from=EN>The Environment (2014).

National Planning Policy

UK Climate Change Act

The UK Climate Change Act 2008⁶ established a legal requirement for an 80% reduction in the GHG emissions of the UK economy by 2050 in comparison to a 1990 baseline. The Act also created the Committee on Climate Change, with a responsibility for:

- Setting five-year carbon budgets, covering successive periods of emissions reduction to 2050;
- Advising and scrutinising the UK Government's associated climate change adaptation programmes; and
- Producing a national adaptation plan for the UK Government to implement.

In 2019, the target was revised to achieve 100% reduction (net zero) GHG emissions by 2050⁷.

In line with the recommendation from the Climate Change Committee, the UK's 6th Carbon Budget⁸ set a target in law to cut GHG emissions by 78% by 2035, which will help the government to achieve its objective of reaching net zero emissions by 2050.

The existing UK carbon budgets are used to determine significance of GHG emissions from the Proposed Development.

Town and Country Planning (Environmental Impact Assessment) Regulations 2017

The EIA Regulations^{Error! Bookmark not defined.} were enshrined in UK legislation in line with EU Directive 2014/52/EU. This Directive amended EU Directive 2011/92/EU, which sets out how to undertake an Environmental Impact Assessment (EIA).

National Planning Policy Framework (NPPF) 2023

The revised NPPF (last updated September, 2023⁹) sets out the core planning principle of '*moving to a low carbon economy*': Chapter 9: Promoting Sustainable Transport, encourages the pursuit of '*...opportunities to promote walking, cycling and public transport*' as well as '*limiting the need to travel and offering a genuine choice of transport modes*' (Paragraph 109).

In accordance with NPPF Chapter 14: Meeting the challenge of climate change, flooding and coastal change; '*The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in GHG emissions; minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure*' (Paragraph 152).

⁶ HM Government (2008) Climate Change Act 2008. Available at: <http://www.legislation.gov.uk/ukpga/2008/27/introduction>

⁷ The Climate Change Act 2008 (2050 Target Amendment) Order 2019 (Statutory Instrument 2019 No.1056)

⁸ UK Government (2021) The Carbon Budget Order 2021. Available from: <https://www.legislation.gov.uk/uksi/2021/750/contents/made>

⁹ Department for Levelling Up, Housing and Communities (2023); National Planning Policy Framework

Paragraph 154 states that *"New development should be planned for in ways that:*

- a) avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure; and*
- b) can help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings should reflect the Government's policy for national technical standards".*

Paragraph 157 states that *"In determining planning applications, local planning authorities should expect new development to:*

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

National Planning Policy Guidance on Climate Change

This guidance, published by the Department for Levelling Up, Housing and Communities and the Ministry of Housing, Communities and Local Government¹⁰, describes how to identify suitable mitigation and climate adaptation measures to incorporate into the planning process. It states that *"effective spatial planning is an important part of a successful response to climate change as it can influence the emission of greenhouse gases"* and that *"Planning can also help increase resilience to climate change impact through the location, mix and design of development"*.

The guidance promotes adaptation of developments to climate change through:

- *"identifying no or low cost responses to climate risks that also deliver other benefits, such as green infrastructure that improves adaptation, biodiversity and amenity;*
- *building in flexibility to allow future adaptation if it is needed, such as setting back new development from rivers so that it does not make it harder to improve flood defences in future; and*
- *the potential vulnerability of a development to climate change risk over its whole lifetime".*

In relation to mitigating impacts of new development on climate change, the guidance advises that *"the distribution and design of new development and the potential for servicing sites through sustainable transport solutions, are particularly important considerations that affect transport emissions"*.

¹⁰ HM Government (updated 2019) 'Guidance Climate change' Available at: <https://www.gov.uk/guidance/climate-change>

Infrastructure Carbon Review

In 2013, the UK government published the Infrastructure Carbon Review¹¹ which aimed to *'release the value of lower carbon solutions and to make carbon reduction part of the DNA of infrastructure in the UK'*. Major infrastructure owners, operators, and developers, including Highways England (HE, as was; now National Highways), were invited to endorse, become signatories and make commitments under the review. The review provided increased emphasis on 'capital carbon' (GHG emissions associated with raw materials, activities and transport for construction, repairs, replacement, refurbishment and de-construction of infrastructure) while acknowledging that 'operational carbon' (associated with energy consumption for the operation and use of infrastructure) will continue to dominate overall emissions to 2050 and beyond. The Infrastructure Carbon Review highlighted the importance of assessing GHG emissions early in the lifecycle of an infrastructure scheme when there is the greatest carbon reduction potential. The Infrastructure Carbon Review also led to the publication of a Publicly Available Specification on infrastructure carbon management; PAS2080:2016¹²).

Sales of New Petrol and Diesel Cars to End in the UK by 2035

On January 3rd 2024, the UK Government announced that the zero emission vehicle mandate had entered into force¹³. This mandate requires 80% of new cars and 70% of new vans sold in Great Britain to be zero emission by 2030, increasing to 100% by 2035.

This mandate followed a previous announcement on November 18th, 2020, that the selling of new diesel and petrol (gasoline) cars and vans will cease from 2030¹⁴.

Electric Vehicle Charging Points

On the November 22nd, 2021, the UK Government announced that all *"new homes and buildings such as supermarkets and workplaces...will be required to install electric vehicle charge points from next year"*. It further states, *"As well as new homes and non-residential buildings, those undergoing largescale renovations which leaves them with over 10 parking spaces will be required to install electric vehicle charge points"*.

As part of an update to Part S of the Building Regulations on June 15th 2022, all new non-residential buildings with more than 10 parking spaces must have a minimum of one chargepoint and cable routes for one in five (20%) of the total number of spaces. Furthermore, all non-residential buildings undergoing a major renovation that will have more than 10 parking spaces must have a minimum of one chargepoint, along with cable routes for one in five spaces.

¹¹ HM Treasury (November, 2013); Infrastructure Carbon Review.

¹² British Standards Institution (2016) Carbon management in infrastructure. Available from: <https://shop.bsigroup.com/products/carbon-management-in-infrastructure>

¹³ Department for Transport and Office for Zero Emission Vehicles (January 2023) 'Pathway for zero emission vehicle transition by 2035 becomes law'. Available from: <https://www.gov.uk/government/news/pathway-for-zero-emission-vehicle-transition-by-2035-becomes-law>

¹⁴ GOV.UK: Government takes historic step towards net-zero with end of sale of new petrol and diesel cars by 2030. Available at: <https://www.gov.uk/government/news/government-takes-historic-step-towards-net-zero-with-end-of-sale-of-new-petrol-and-diesel-cars-by-2030>

Local Planning Policy

Greater Manchester Combined Authority

Greater Manchester Combined Authority (GMCA) declared a climate emergency on 26th July 2019 and produced a 5-Year Environment Plan¹⁵ in the same year. This Plan recognises the need to both mitigate against and adapt to climate change. It also sets the aspiration to be carbon neutral city region by 2038.

The key priorities with this Plan include: decarbonising the energy supply; reducing fossil-fuel based transport; reducing heat demand in homes and businesses; managing waste sustainably; and embedding climate change resilience and adaptation in all policies.

Manchester City Council

Policy EN 8 'Adaptation to Climate Change' in the Manchester City Council (MCC) Core Strategy Development Plan¹⁶ states that *"All new development will be expected to be adaptable to climate change in terms of the design, layout, siting and function of both buildings and associated external spaces. In achieving developments which are adaptable to climate change developers should have regard to the following, although this is not an exhaustive list:*

- *Minimisation of flood risk by appropriate siting, drainage, and treatment of surface areas to ensure rain water permeability;*
- *Reduction in urban heat island effect through the use of Green Infrastructure such as green roofs, green walls, increased tree cover and waterways;*
- *The need to control overheating of buildings through passive design;*
- *The opportunity to provide linked and diverse green space to enhance natural habitats which will assist species adaptation; and*
- *Developers will be permitted to use green infrastructure elements such as green roofs, green walls, street trees and waterways to contribute to compliance with CO₂ mitigation under Policy EN6, subject to sufficient evidence to quantify their contribution to compliance".*

Further to the above, Spatial Objectives 01 and 06 of this Plan set out a framework for which the city can contribute to halting climate change and mitigating and adapting to climate change.

MCC have committed to reducing their carbon emissions by 35-45% by 2025 and produced a Climate Change Action Plan¹⁷ to help meet this aim. This Plan includes specific commitments to reduce CO₂ emissions associated with MCC's operational estate; waste vehicle fleet etc.

¹⁵ GMCA (2019) '5-Year Environment Plan'

¹⁶ MCC (2012) 'Core Strategy Development Plan' Available from:
https://www.manchester.gov.uk/downloads/download/4964/core_strategy_development_plan

¹⁷ MCC (Updated 2022) 'Climate Change Action Plan' Available from:
https://www.manchester.gov.uk/info/500002/council_policies_and_strategies/3833/zero_carbon_manchester/3

MCC have set yearly carbon budgets to help achieve emissions reductions, however, it is considered that these budgets specifically relate to MCC operations and are not applicable to the private sector.

Guidance

IEMA Environmental Impact Assessment Guide to Climate Change Resilience and Adaptation

IEMA Guidance 2020¹⁸ for assessing climate change resilience and adaptation in EIA has been followed for the CCR Assessment of the Proposed Development to the potential impacts of climate change. It provides guidance for consideration of the impacts of climate change within project design. The guidance sets out how to:

- Define potential climate change concerns and environmental receptors vulnerable to climate factors;
- Define the environmental baseline with projections for changing future climate parameters; and
- Determine the resilience of project design and define appropriate mitigation measures to increase resilience to climate change.

The Physical Climate Risk Assessment Methodology (PCRAM)

PCRAM¹⁹ has been developed by the Coalition for Climate Resilient Investment (CCRI) for *"infrastructure asset developers, managers and providers of capital"*. It outlines a methodology for the combination of three distinct fields to incorporate physical climate risks (PCRs) into the appraisal of infrastructure assets, namely (a) climate science, (b) infrastructure asset management and engineering, and (c) infrastructure finance by integrating them in infrastructure investment decision-making by incorporating climate science into financial analysis. It builds upon the standardised industry principles of ISO 31000 Risk Management – plan, do, check, act, process – and ISO 14091 – Adaptation to climate change, a risk-orientated framework.

The guidelines form a practical and effective (i.e. systematic, objective, auditable, and repeatable) framework for the effective integration of PCRs in decision-making. *"The methodology should not be seen as a one-off exercise but as a live, iterative process that is regularly updated as new information on climate hazards and risk (exposure, vulnerability and consequence), damage costs etc. become available."*

The process requires the practitioners to make and communicate pragmatic assumptions where information may not be available and to accept and highlight uncertainty".

Assessing Greenhouse Gas Emissions and Evaluating their Significance

IEMA Guidance from 2022²⁰ for assessing GHG Emissions associated with developments and evaluating their significance has been followed for the assessment of the influence of the

¹⁸ IEMA (2020) Environmental Impact Assessment Guide to Climate Change Resilience and Adaptation

¹⁹ Coalition for Climate Resilient Investment (2021): The Physical Climate Risk Assessment Methodology (PCRAM); Guidelines for Integrating Physical Climate Risks in Infrastructure Investment Appraisal. Available from: <https://resilientinvestment.org/pcram/>

²⁰ IEMA (2022) 'Assessing Greenhouse Gas Emissions and Evaluating their Significance'

Proposed Development on climate change. The steps to follow, as recommended within this guidance, are included as **Figure 8.1.1**.

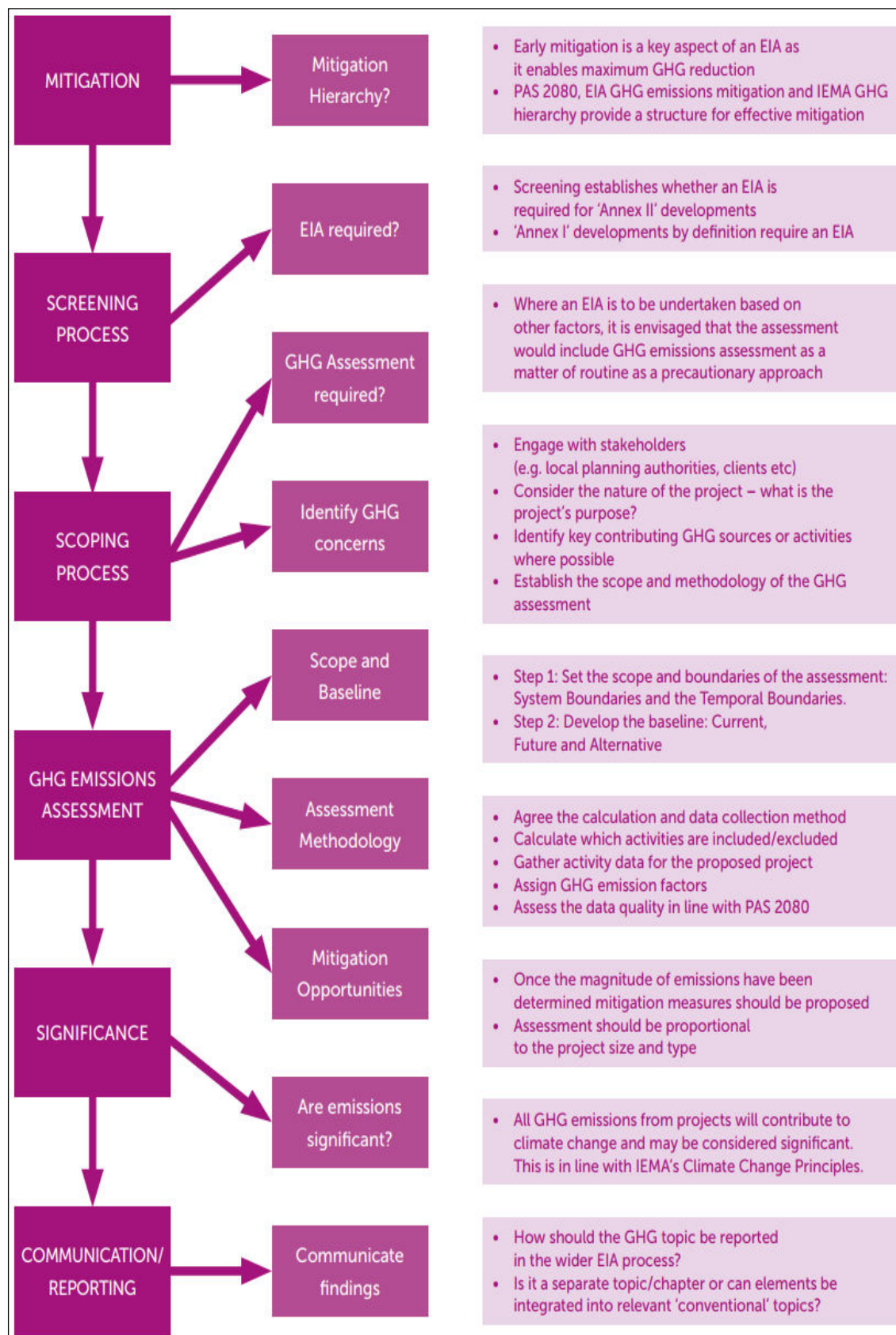


Figure 8.1.1: Steps Involved in a GHG Assessment