

Climate Change and Greenhouse Gas Environmental Impact Assessment
ES Volume 3: Technical Appendix 9.1 - Climate Change and Greenhouse Gases
Legislation and Policy Summary

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1.1 Introduction

- 1.1.1 This Technical Appendix supports ES Volume 1: ES Chapter 9 Climate Change and Greenhouse Gases and provides an overview of the International and National legislation and policy documents relevant to the assessment.

1.2 International Legislation

Paris Agreement 2015

- 1.2.1 The Paris Agreement 2015 is a global framework agreed at Conference of the Parties (COP) 21 in Paris, on 12th December 2015. Parties to the United Nations Framework Convention on Climate Change (UNFCCC) reached a landmark agreement to combat climate change and to accelerate and intensify the actions and investments needed for a sustainable low carbon future. The Paris Agreement requires all Parties to put forward commitments through "nationally determined contributions" (NDCs) and to strengthen these commitments in the years ahead. This includes requirements that all Parties report regularly on their emissions and on their implementation efforts.

1.3 National Legislation

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

- 1.3.1 The Climate Change Act (CCA) 2008 established the context for government action on climate change, providing a legally binding framework for the UK to reduce GHG emissions and develop the UK's ability to adapt to climate change. In 2019, the CCA 2008 was amended to include a revision of the previous aim of 80% reduction of GHG emissions compared to 1990 levels by 2050. The CCA 2008 now mandates a net zero target by 2050:

"the net UK carbon account for the year 2050 is at least 100% lower than the 1990 baseline."

- 1.3.2 To reach net zero carbon emissions, the UK government has set legally binding carbon budgets, capping the amount of GHG emitted in the UK over a 5-year period.

Carbon Budget Orders 2009, 2011, 2016 and 2021

- 1.3.3 The Carbon Budget Orders are made in accordance with the duty to set carbon budgets as required by the CCA 2008. These Orders provide the legal requirement to meet the carbon budgets as set out in Table 1.

Table 1 UK Carbon Budgets

UK Budget	Carbon Budget Level (MtCO ₂ e)	Target Reduction Below 1990 Levels (%)
1st Carbon Budget (2008 - 2012)	3,018	25
2nd Carbon Budget (2013 - 2017)	2,782	31
3rd Carbon Budget (2018 - 2022)	2,544	37
4th Carbon Budget (2023 - 2027)	1,950	52
5th Carbon Budget (2028 - 2032)	1,725	58
6th Carbon Budget (2032 - 2037)	965	77

- 1.3.4 These carbon budgets apply to the UK as a whole. However, Wales and Scotland have set different carbon budgetary periods to England and Northern Ireland. The emissions of all four parts of the UK contribute to the carbon budgets, even if their individual approaches are different.
- 1.3.5 In February 2025, the Climate Change Committee (CCC) issued advice to government on setting the Seventh Carbon Budget (CB7). This recommended that CB7 be set at 535MtCO₂e for the period 2038 to 2042. The UK Government is yet to formally respond to the recommendation and as such it has not been formally adopted.

1.4 National Planning Policy and Strategy

National Planning Policy Framework

- 1.4.1 The revised National Planning Policy Framework (NPPF)¹ was published in December 2024 and amended in February 2025. The document sets out the Government's planning

¹ Ministry of Housing, Communities and Local Government (2024) NPPF

policies for England and how these are expected to be applied.

- 1.4.2 The purpose of the planning system is to contribute to the achievement of sustainable development. In order to ensure this, the NPPF recognises three overarching objectives including the following of relevance to air quality:

"c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy."

- 1.4.3 At the heart of the Framework is a presumption in favour of sustainable development, as detailed in Paragraph 11:

"11. Plans and decisions should apply a presumption in favour of sustainable development.

For plan-making this means that:

a) all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects"

- 1.4.4 Paragraph 161 to 163 relates to the role of the planning system in relation to climate change and states:

"The planning system should support the transition to net zero by 2050 and take full account of all climate impacts including overheating, water scarcity, storm and flood risks and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.

Plans should take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating and drought from rising temperatures⁶¹. Policies should support appropriate measures to ensure the future health and resilience of communities and infrastructure to climate change impacts, such as providing space for physical protection measures, or making provision for the possible future relocation of vulnerable development and infrastructure.

The need to mitigate and adapt to climate change should also be considered in preparing and assessing planning applications, taking into account the full range of potential climate change impacts"

1.4.5 Paragraph 164 specifically refers to new development and states:

"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 incorporating green infrastructure and sustainable drainage systems; and

b) help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings in plans should reflect the government's policy for national technical standards."

Planning Practice Guidance - Climate Change

1.4.6 The Planning Practice Guidance (PPG)² supports the NPPF. Regarding climate change, the PPG advises how to identify suitable mitigation measures in the planning process to address the impacts of climate change.

² Source: <https://www.gov.uk/guidance/climate-change>

1.4.7 Local Planning Authorities use the NPPF and PPG to identify appropriate mitigation measures in plan making.

“Every area will have different challenges and opportunities for reducing carbon emissions from new development such as homes, businesses, energy, transport and agricultural related development.

...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. Sustainability appraisal should be used to test different spatial options in plans on emissions.

Different sectors may have different options for mitigation. For example, measures for reducing emissions in agricultural related development include anaerobic digestion, improved slurry and manure storage and improvements to buildings. In more energy intensive sectors, energy efficiency and generation of renewable energy can make a significant contribution to emissions reduction.”

Net Zero Strategy (Build Back Greener)

1.4.8 The Net Zero Strategy (Build Back Greener)³ was published on 19th October 2021 and updated in April 2022. The strategy was produced as part of the UK Government's statutory duties under the CCA 2008. It sets out policies and proposals for decarbonising all sectors of the UK economy to meet the government's net zero target by 2050.

1.4.9 Sector and technology specific strategies were also published to support the strategy, including the following:

- Environmental Improvement Plan⁴, updated February 2023;
- Powering Up Britain: Energy Security Plan⁵, April 2023;
- Decarbonising Transport: A Better Greener Britain⁶, 2021;

³ Department for Energy Security and Net Zero (2022) Net Zero Strategy: Build Back Greener

⁴ Department for Environment, Food and Rural Affairs (2023) Environmental Improvement Plan

⁵ Department for Energy Security and Net Zero (2023) Powering Up Britain: Energy Security Plan

⁶ Department for Transport (2021) Decarbonising Transport: A Better Greener Britain

- Industrial Decarbonisation Strategy⁷, updated April 2021; and,
- Heat and Buildings Strategy⁸, updated March 2023.

⁷ Department for Energy Security and Net Zero (2021) Industrial Decarbonisation Strategy

⁸ Department for Energy Security and Net Zero (2023) Heat and Buildings Strategy
