Climate Team consultation response

Reference: PL/2023/11188
Address: Land at Blackmore Farm, Sandridge Common, Melksham SN12 7QS
Proposal: Demolition of agricultural buildings and development of up to 500 dwellings; up to 5,000 square metres of employment (class E(g)(i) & Class E(g)(ii)); land for primary school (Class F1), land for mixed-use hub (Class E / Class F); open space; provision of access infrastructure from Sandridge Common (A3102); and provision of all associated infrastructure necessary to facilitate the development site (Outline application relating to access).

Overall: Objection.

Applications for planning permission must be determined in accordance with the relevant policies of the development plan unless material considerations indicate otherwise (ref: Section 38(6) of the Planning and Compulsory Purchase Act 2004). Section 19 of this Act places a legal duty on development plan documents, taken as a whole, to include policies designed to secure development that contributes to the mitigation of, and adaptation to, climate change.

Development Plan:

At paragraph 1.3 of the Wiltshire Core Strategy (WCS) key principles that underpin the strategy to help build more resilient communities are identified including:

- *"Providing for the most sustainable pattern of development that minimises the need to travel and maximises the potential to use sustainable transport."*
- *"Managing development to ensure that jobs and the right infrastructure are delivered at the right time to ensure that out commuting, in particular to areas outside of Wiltshire, is not increased"*
- *"Working towards lowering Wiltshire's carbon footprint through the appropriate location of development, and through renewable energy and sustainable construction."*

Paragraph 1.10 states: *"**The overarching priorities are to help build and protect resilient communities through….. tackling the causes and effects of climate change**"*

Paragraph 2.10 states: *"**Climate change is a central issue to be addressed by the WCS**….. The basis of this strategy is to achieve sustainable patterns of development in order to reduce carbon emissions."*

The WCS sets out that addressing climate change as a strategic objective stating at paragraph 3.5 that: ***"Climate change is possibly the greatest long-term challenge facing the world today."***

Paragraph 6.32 sets out that the strategy will contribute to tackling climate change through a number of different areas of policy, such as:

- focusing growth at the larger settlements to help minimise the need for travel,
- ensure new development can withstand future changes in climate and add minimally to carbon emissions,
- provide a network of green infrastructure; and
- ensure more sustainable forms of transport.

Core Policy 41 seeks to help to reduce Wiltshire's contribution to climate change through improved design and construction methods. The policy states that: *"New development, building conversions, refurbishments and extensions will be encouraged to incorporate*

design measures to reduce energy demand. Development will be well insulated and designed to take advantage of natural light and heat from the sun and use natural air movement for ventilation, whilst maximising cooling in the summer."

Furthermore, the policy requires all major development proposals to be submitted with a Sustainable Energy Strategy that demonstrates the low-carbon approach for the development.

Core Policy 60 sets out that *"the council will use its planning and transport powers to help reduce the need to travel particularly by private car, and support and encourage the sustainable, safe and efficient movement of people and goods."* It sets out a number of means to achieve this including planning development in accessible locations, and promoting alternatives to the private car. These aims are further supported by CP61, CP62, CP63, CP64, CP65 and CP66.

In addition, the Wiltshire Core Strategy contains specific policies in relation to **biodiversity (CP50), green infrastructure (CP52), high quality design (CP57), flood risk (CP67)** and **water resources (CP68)**. These all relate to reducing Wiltshire's contribution to climate change and/or adaptation. To be compliant with these policies regard should be had to the implications of the development on climate change. As set out previously climate change is the central issue to be addressed by the development plan.

Finally, the **Joint Melksham Neighbourhood Plan 2020-2026** was made in July 2021 and forms an important part of the development plan. This includes a number of relevant policies that seek to address climate change including Policy 1, Policy 2, Policy 3, Policy 4 and Policy 11.

Policy 1: Sustainable Design and Construction sets out support for schemes that contribute to Wiltshire becoming carbon neutral. It encourages the use of BREEAM and Home Quality Mark for non-residential and residential developments respectively. It supports innovative approaches such as the application of Passivhaus standards. It also sets out the importance of looking beyond the buildings and considering sequestering carbon through landscaping, the importance of sustainable transport and adapting to climate change.

Policy 4: Ultra Low Emission Vehicle Charging provides more encouragement for positive climate action through provision of charging for low emission vehicles such as electric charging points.

Policy 11: Sustainable Transport and Active Travel sets out the need to demonstrate how sustainable transports modes are being maximised in accordance with a hierarchy that prioritises active travel, then public transport with private vehicle use at the end.

Policy 16: Trees and Hedgerows supports the planting of new trees in development proposals and seeks to protect existing trees and hedges where possible. It notes the importance of landscape features in absorbing greenhouse gases.

Policy 18: Locally Distinctive, High-Quality Design sets out how schemes that demonstrate good design will be supported. The 10 fundamental components of good design relate to the overarching principles of addressing character, community and climate.

Other material considerations:

As set out above planning legislation establishes that **other material considerations** should be taken into account in the determination of planning applications. As such, these need to be kept in mind as developments are planned and formulated. Other material considerations

may include other local planning policy and guidance, the emerging Wiltshire Local Plan Review, UK government legislation or Written Ministerial Statements and national planning policy and guidance such as the National Planning Policy Framework.

The Council is carrying out a **Local Plan Review**. A draft version has was approved by cabinet and full council so proceeded to the Regulation 19 stage of public consultation. The consultation has recently closed and comments are being assessed. A suite of ambitious new and replacement policies to further reduce Wiltshire's contribution to climate change and foster better community resilience to impacts from climate change are now emerging. The direction of travel is reflective of wider strategic policy already adopted by Wiltshire Council, such as the **Wiltshire Climate Strategy, adopted February 2022**. This builds on the Council's February 2019 resolution to acknowledge a **climate emergency and subsequent commitment to seek to make the county carbon neutral by 2030**.

To further underline this the **Climate change act 2008 (2050 Target Amendment) Order 2019** raised the **duty of the Secretary of State to ensure that the net UK carbon account for the year 2050 is at least 100% lower than the 1990 baseline** (previously 80%).

The **National Planning Policy Framework (December 2023)** (NPPF) sets out the UK government's position on planning in England.

Paragraph 7 of the NPPF states: *"The purpose of the planning system is to contribute to the achievement of sustainable development"* and paragraph 8 makes it clear that **mitigating and adapting to climate change is a core planning objective**.

Paragraph 157 states: *"The planning system should support the transition to a low carbon future in a changing climate…. It should **help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions**, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure."*

Paragraph 159 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 162 goes on: *"In determining planning applications, local planning authorities should **expect new development to…… take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption**"*

In terms of transport paragraph 108 states that "transport issues should be considered from the earliest stages of plan-making and development proposals, so that….. opportunities to promote walking, cycling and public transport use are identified and pursued".

In terms of the future national direction of travel the **10 Point Plan**, **Net Zero Strategy**, **Heat and Buildings Strategy**, the **Sixth Carbon Budget, Timber in Construction Roadmap,** and **Powering Up Britain** are very clear. The intentions include:

- More journeys by public transport, walking and cycling;
- More electric cars;
- More sustainable (safe) construction practices; and

- More renewable energy and storage technologies.

Comments on the submission:

The climate team actively and strongly encourages developers of all scales to put the mitigation of and adaption to climate change as a golden theme to run through their development project. This will mean different things depending on the scale of the project, but to support the transition to a low carbon future, radical reductions in greenhouse gas emissions over the existing status quo will be required.

The applicant has submitted an Energy and Sustainability Statement that outlines what can be considered a low-carbon approach based on current policy requirements – which are really the minimum building regulations. Of course, the developer will be mindful that more ambitious standards will most likely apply – at the very least through the Future Homes and Future Buildings Standards – if this development is constructed. The developer should also be mindful that the council is seeking far more ambitious policy approaches through its local plan review. The Strategy does not address these emerging standards. Whilst they currently do not carry any material weight, this is an evolving picture and might not be the case at the point of determination. The emerging policies demonstrate what might be considered ambitious at this moment in the journey to net zero.

BREEAM:
The developer briefly covers the CP41 requirements for non-residential development to meet BREEAM "Excellent" standards. From their submission it does not appear that they have carried out any work in relation to this thus far. It is imperative that they bring in a suitably qualified and experienced BREEAM Practitioner now or they will be at risk of developing a scheme that will struggle to comply with policy. This is because credits are awarded in BREEAM for schemes that have initiated design work with BREEAM and aligned professionals early in the process (RIBA Stage 2). It might be that some credits are already beyond this project. I would encourage a BREEAM Pre-assessment to be submitted for consideration alongside the outline planning application.

ACTION: The developer needs to engage a BREEAM professional to work on the scheme to ensure that the non-residential elements are targeting the relevant BREEAM "Excellent" standards. I require at the very least written commitment that the non-residential elements will be targeting relevant "Excellent" standards, but it would be far better to submit a Pre-Assessment demonstrating how this could be achieved.

Subject to this being addressed then the current policy conflict can be overcome through the appropriate use of conditions to require BREEAM Excellent certification within 6 months of the non-residential development being occupied.

Operational carbon / energy:
This is a relatively easy area for the building industry to address now and a truly ambitious approach would be to target net zero in operation through a fabric first approach and the application of low-carbon and renewable technologies.

I note that the developer acknowledges the importance of layout and orientation in achieving a development that can meet the challenge of climate change. It's agreed that the layout and external appearance are reserved matters for later discussion. At this stage the outline of the strategy needs to be committed to though.

The fabric first approach is right in principle however the developer is not being ambitious in the way supported and encouraged in CP41 and Policy 1. For example, an air tightness value of $5m^3/m^2$@50Pa is quite typical of current construction and very far removed from

Passivhaus principles. Electric energy demand is set to increase significantly and so its essential that highly efficient buildings are erected to minimise the increased demand.

The developer says they are “investigating” the feasibility of air source heat pumps. They need to be committing to ASHPs. This is not particularly new technology and is most easily applied to new buildings. An electrified space heating and hot water solution is essential as a minimum because otherwise these homes will be locked-in to fuels that result in greenhouse gas emissions, adding to the existing huge retrofit challenge our society faces.

The developer is only committing to solar PV on rooftops where the Future Homes Standard requires. There is no guarantee that the Future Homes Standard will be brought into force or what levels it will mandate. If that is a relevant standard in the future, it will be the minimum requirement anyway. The current consultation from the government sets out 2 options for the FHS, neither of which are as ambitious as the industry had expected. Furthermore, the developer is anticipating that arrays will be in the realms of 2-4kW per property. Even the upper end of this range on a detached dwelling is not a large array and would not be maximising the potential of the roof (I’d expect 3-7kW arrays, possibly more if orientation is optimised). Moreover, I doubt these will meet the regulated and unregulated energy needs of the homes given that hot water and space heating will be electric and energy efficiency will not be maximised.

In summary, the developer has concluded to say that using their method the development could provide a reduction in carbon emissions in excess of 60% better than current minimum building regulation standards. However, the strategy is written in such a way as to show limited commitment and could be far more ambitious.

ACTION: The developer should be encouraged to take a far more ambitious approach to operational energy and carbon that aligns with paths like the RIBA 2030 Climate Challenge or the emerging local plan Policy 85. The latter seeks net zero in operation with some limited allowance for technical reasons. If this is committed to and the applicant accepts a condition to secure this then it could be afforded positive weight in favour of granting planning approval.

<u>Embodied Carbon:</u>
The developer has not really engaged with this topic in any particular detail, and it is just as important, if not more important than the operational carbon associated with a new development.

I do acknowledge that the issue is a more challenging one than operational carbon, but some indications of how the proposal is going to deal with the embodied carbon associated with the substructure, superstructure and external finishes of buildings as well as all the areas of hard standing needs to be attempted to show that there is a low-carbon strategy here. For example, what type of construction will the buildings have, will modern methods of construction / timber frames be utilised for the homes. This has a much lower embodied carbon impact than traditional methods of construction. How will areas of hard standing be minimised is something else to be explained.

ACTION: The developer should be encouraged to give greater consideration to Embodied Carbon and needs to consider this in the context of the substructure, superstructure and external finishes of the buildings and the extent of hard standing for the associated infrastructure such as roads, paths and parking. The developer could set an ambitious strategy to try and benchmark with the RIBA 2030 Climate Challenge standards that cover a range of different building types and uses.

Sustainable transport:
It is important to consider that the policies of the development plan when taken as a whole are designed to address climate change. The policy approach, including that which sets out the settlement and delivery strategy (CP1 and CP2) is an important part of this because the location of the development has a significant impact in terms of reliance on the private car. This site is contrary to the locational policies of the development plan and to outweigh this I would suggest that the developer needs to mitigate this through sustainable transport and sustainable construction so that the spatial planning objective of addressing climate change is still met.

I have set out an approach in terms of sustainable construction and how the developer could be more ambitious so as to offset the locational issues. Similarly, I would want to see more ambition in their approach to sustainable transport. They are on the right lines with their hierarchy but more commitment and ambition should be demonstrated.

ACTION: The developer should set out a strategy that helps to 'avoid' the need to make journeys. Through having high levels of internet and telecommunications incorporated into the scheme promoting opportunities to work from home. The comments to date are encouraging (5.4 of Sustainable Energy Strategy) but more commitment is needed ahead of determination.

The next stage is to 'shift' journeys to more sustainable modes, in particular encouraging active travel because this has positive co-benefits for health and wellbeing. The illustrative masterplan shows good levels of connectivity and permeability within the development itself. However, it's key that there are strong walking and cycling connections to the west that are convenient and follow the natural desire lines to local services, modal change points and existing/improved active travel routes. This is where I am most concerned as there are only 2 proposed routes (i.e. MELW41 (a bridal way to the southern end of the site) and MELW27 (a footpath approximately equidistant from the north and south of site). The only alternative to these is an indirect route at the far north of the site where a vehicular connection to Sandridge Common is proposed.

Firstly, both public rights of way will be over third-party land and I would be concerned that these could not be improved to provide suitable safe and convenient access to the public highway areas for walking and cycling. Without these the site is bound to be heavily reliant on private vehicle use because people will not be able to walk and cycle to wider facilities and the local bus stops conveniently.

ACTION: Further work is required to ensure that these key connections can be provided so that they are suitable, safe and convenient cycle/pedestrian routes within and beyond the site boundary up to the cycle /pedestrian route on the western side of Eastern Way. Perhaps the land needs to be included within the red line up to the highway?

Turning finally to the concept of 'improve' it is essential that all homes on this development are planned so as to have access to electric vehicle charging that is supplied from their home. This is because it is the cheapest and most convenient means of charging vehicles and the transition to net zero and electric vehicle use needs to be fair and equitable. As we transition to electric the cost of petrol and diesel will rise and we cannot be planning new greenfield development that leaves some homes effectively locked into using the internal combustion engine for decades to come.

Part S of the building regulations goes so far in this transition but there are a number of exemptions that should and can be avoided through good planning at reserved matters stage. For now, a commitment to providing a parking strategy and layout that ensures a

charge point to every home is sufficient. This is more than the developer is currently committing to by stating compliance with minimum Part S building regulations.

ACTION: The developer needs to commit to providing every dwelling with at least 1 electric vehicle charge point through careful planning of the site layout and parking strategy. This means avoiding layouts that make installation of charge points cost prohibitive or having parking remote from the associated dwelling or parking separated from the associated dwelling by third party land (i.e. avoids exemptions under Part S of the building regulations).

Climate Change Adaptation:
The evidence regarding human induced climate change is irrefutable, however what is less well understood is how our climate is going to change, when is it going to change and how much is it going to change. The implications and adaptations are most likely going to be around the issues of flood risk, overheating, water scarcity and increased wind and wildfires.

I have noted the comments on addressing overheating through building regulations Part O and addressing flood risk too. I welcome their comments in relation to using layout and external appearance details to address overheating risks. A further means of course is to use the details of landscaping so that you strategically use trees in the development to provide summer shade to the south elevation of buildings and provide shade and evapotranspiration cooling to active travel routes and parking areas as well.

I also welcome the developers comments that trees will help address increased winds in the development. Similarly, the approach to drainage through open water SUD solutions is positive because this will provide a more attractive development, and improve wellbeing. This needs to follow through into the reserved matters but there is clear reason to be hopeful based on what has been submitted.

In terms of water efficiency then the higher building regulations standard of 110 l/p/d needs to be conditioned so that it may be secure through Part G of the building regulations on the new homes. I would consider that BREEAM should address the other uses satisfactorily.

In conclusion I am not seeing anything in the adaptation approach that is very ambitious or that would mitigate the locational issues of the development. This is a neutral consideration.

Conclusion:
In conclusion the proposal is in a location that does not accord with the location strategy of the development plan. This is a key tool towards the plan's overall objective of addressing climate change. Part of the reason for this is because locations like this are more likely to be reliant on the private car. The developer has set out some positive sustainable transport measures to help mitigate the locational issues to a degree. However, I am concerned that they might not be realised/secured, in particular the non-vehicular connections to the west.

Furthermore, the approach set out in terms of sustainable construction is non-committal and even against best case scenarios will fall significantly short of the ambitious approach required to mitigate the locational conflict with the plan and reflect the supporting and encouraging tones of the development plan. Furthermore, there is a paucity of information in regard to what is being targeted in terms of relevant BREEAM standards for the non-residential development. Overall, I must therefore raise objection because I do not have sufficient information to show that the proposal will be meeting the development plan's spatial objective of addressing climate change commensurate with the Council's acknowledgement of a Climate Emergency.

To be clear whilst I make reference to the emerging policies of the local plan review, I have done so to illustrate what might be an ambitious approach. An ambitious approach is

required in some policy areas to outweigh the clear conflict with CP1 and CP2 so as to ensure that when taken as a whole the development plan policies are providing a framework for development that mitigates and adapts to climate change.

However, if you are minded to recommend the application for approval I suggest conditions to address the following areas (I can provide wording as necessary closer to the point of determination if necessary). If minded to take this approach you ought to seek approval from the developer prior to imposing them:

- Further Sustainable Energy Strategies to be provided with each reserved matters application and final versions ahead of site commencement to reflect work carried out at RIBA Stage 4 Technical Design (i.e. post planning).
- Conditions to secure BREEAM Pre-Assessments at reserved matters demonstrating that the scheme is targeting relevant “Excellent” standards in all non-residential elements; with certification of achievement after 6 months of occupation.
- EV charging to every dwelling
- Cycle parking to every dwelling
- Details of low carbon and renewable technologies such as location, number and manufacturer’s details.
- Water efficiency @ 110l/p/d minimum.

Climate change is the central issue to be addressed by the development plan. The direction of travel since its adoption in 2015 is very clear with the Council’s adopted Climate Strategy in 2022 setting a framework for reducing carbon emissions in Wiltshire and for making the county resilient to climate change. Furthermore, the NPPF states that planning needs to shape places in ways that contribute to radical reductions in greenhouse gas emissions.

Date: 6 February 2024

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