Advice from Climate Team to Planning

Reference: PL/2023/04525
Address: Bradford Rugby Football Club, Ashley Lane, Winsley, Bradford on Avon, Wilts BA15 2HR
Proposal: Indoor training facility at the existing rugby ground (Outline application relating to access, appearance, layout and scale).

Overall: On balance, no objection subject to delivery of the roof mounted solar array.

I have reviewed the additional information and had a discussion with the developer. The policy requirement to submit a Sustainable Energy Strategy has been met with adequate information. The large solar array proposed is a mitigating feature for a development whose location is fixed by circumstance and design and materials have been led by functional requirements. Furthermore, I have made reasonable efforts to support and encourage the developer to make the most sustainable construction choices. This has led to further consideration of Energy Hierarchy principles and use of electrified heating system. The SES is limited at this stage because Technical Design has not taken place. A condition can secure a final plan.

From what has been discussed I am sceptical as to whether this is a proposal that would likely achieve a policy compliant BREEAM rating given the stage it has already reached, its fixed location and the nature of the use. However, CP41 directs me to consider viability on this requirement. I have taken into consideration the BREEAM requirement on the functional viability of this community club project and balanced this with other elements of achieving sustainable development. On balance and in this specific instance I will not pursue BREEAM requirements on the proviso that the large solar array is achieved. This will provide renewable energy and given its visibility might provide a stimulus for positive climate action in development elsewhere to help mitigate a lack of BREEAM assessment.

Suggested conditions:

- Prior to development above slab level a final Sustainable Energy Strategy, explaining the low-carbon approach of the scheme taken in the technical design stages, including details of energy efficiency, low-carbon technologies and integrated renewable energy generation benchmarked against the relevant Building Regulations, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details. REASON: To ensure that the objectives of sustainable development set out in policies CP41 and CP57 of the Wiltshire Core Strategy are achieved.

- No development above slab level shall occur until final details of the roof-mounted solar PV has been submitted to and approved in writing by the local planning authority. Details shall broadly accord with the indicative details shown on the hereby approved plans and include, but not necessarily be limited to location, number, dimensions and manufacturer's details. The development shall be carried out in accordance with the approved details. REASON: In order to define the terms of the permission and in order to support and encourage sustainable construction in accordance with policies CP41 and CP57 of the Wiltshire Core Strategy.

Date: 9 May 2024

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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, *"all non-residential development will be required to achieve the relevant BREEAM… Excellent standards"*. *"All proposals for major development will be required to submit a Sustainable Energy Strategy alongside the planning application outlining the low-*

carbon strategy for the proposal". Finally, *"in all cases the impact of these requirements on the viability of development will be taken into consideration"*.

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, Wiltshire's communities have produced and continue to work on a number of **Neighbourhood Plans**. Once made these form a part of the development plan for the designated area. Many of these documents include relevant policies to mitigating and adapting to the effects of climate change. Proposals must be determined in accordance with these policies unless material considerations indicate otherwise.

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**. This remains at a relatively early stage and so the weight that can be afforded to this is currently limited. However, 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 also make Wiltshire Council carbon neutral by 2030**. Therefore, the review will likely develop a suite of replacement policies to further reduce Wiltshire's contribution to climate change and foster better community resilience to impacts from climate change.

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 (July 2021)** (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 152 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 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 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 104 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** and the **Sixth Carbon Budget** are very clear. The intentions include:

- More journeys by public transport, walking and cycling;
- More electric cars; and
- More renewable energy and storage technologies.

Comments on the application:

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.

Unfortunately, I cannot find a Sustainable Energy Strategy or any relevant BREEAM submission (such as a BREEAM pre-assessment showing a minimum score to target Excellent rating, hopefully with ambition to an Outstanding rating). This information is required in order to comply with policy requirements set out in extant development plan policy CP41. I would request that this information is sought prior to determination.

BREEAM is an internationally recognized tool to evaluate the sustainability performance of development over a number of environmental criteria. It therefore includes but is not limited to energy performance. It is important that this is being considered early in the design process, treated as an integral part of the opportunities and constraints work, to ensure successful sustainable development.

BREEAM will consider issues of sustainable transport for example, where the developer should be targeting an approach that strongly encourages journey avoidance, then active travel, use of public transport after this and only then reliance on private vehicles. Even the latter can be improved through use of travel plans to encourage shared car trips and ambitious EV charging strategies. The Transport Statement doesn't really address this hierarchy.

I would encourage only necessary facilities to be provided in this location to avoid unnecessary trips. Then provide good quality secure, convenient and covered cycle storage. The 8 spaces mentioned seems low and is not detailed on the architectural plans. Measures around public transport improvements should be discussed with transport colleagues so people can walk safely and conveniently from the site to a good, well-served and nearby facility on the B3108.

An ambitious EV charging approach might consider making use of the large solar PV array proposed and co-locating battery storage with a publicly accessible EV charging station at the site for wider public use. This might generate a valuable revenue stream for the club to help with their viability.

Turning to the sustainable construction (also a part of BREEAM) considerations then I leave it for the developer to explain what the scheme needs to do in terms of energy performance in winter and in summer. The provision of a large south facing roof mounted solar array is clearly positive.

This is a very large building with significant spans. As such it is likely that the building will have a high embodied carbon potential. The developer should be setting out how they are minimising this and trying to be innovative with their choice of materials. The submission should detail the level of carbon that can be achieved in kg/sqm within the development of the substructure, superstructure and finishes.

In addition, the proposal should look at nature based solutions to help address drainage and overheating concerns, especially in our changing climate. It is essential that buildings are designed to cope with these stresses so that they have a long lifespan. Otherwise, highly carbon intensive development occurs and soon has to be retrofitted/demolished with yet more carbon emissions.

I would not wish to be too prescriptive at this stage, and BREEAM facilitates and awards schemes that show innovation in their approach, but hopefully the following comments will help the developer (and their consultants) consider what to include in their Sustainable Energy Strategy and BREEAM pre-assessment. These can then form the basis for further positive and proactive dialogue and also inform the architectural plans.

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: 24 July 2023.

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